Wednesday
19th December,
1956

सत्यमेव जयते

PARLIAMENTARY DEBATES

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PARLIAMENT SECRETARIAT
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CONTENTS

[Part I Debates Volume IX—12th to 22nd December, 1956]
No. 21, Wednesday —12th December, 1956.

COLUMNS.

Oral Answers to Questions—

Starred Questions Nos. 1074 to 1079, 1082, 1083, 1087 to 1090, 1095, 1097, 1099, 1105, 1108, 1111, 1112, 1118 to 1121, 1081, 1094, 1101 and 1107 . 1325—55

Short Notice Questions Nos. 4 to 7 . . . . 1355—64

Written Answers to Questions—

Starred Questions Nos. 1080, 1084 to 1086, 1091 to 1093, 1096, 1098, 1100, 1102 to 1104, 1106, 1109, 1110, 1113 to 1115, 1117 and 1122 to 1124 . 1364—73

Unstarred Questions Nos. 854 to 891 . . . . 1373—92

Daily Digest. 1393—96

No. 22, Thursday—13th December, 1956

Oral Answers to Questions—

Starred Questions Nos. 1126 to 1130, 1133 to 1138, 1141 to 1145, 1147, 1150, 1151, 1153 to 1158 . . . . 1397—1425

Short Notice Questions Nos. 8 and 9. . 1426—29

Written Answers To Questions—

Starred Questions Nos. 1125, 1131, 1132, 1139, 1140, 1146, 1148, 1149, 1152, 1159, 1161 to 1168 . . . . 1429—36

Unstarred Questions Nos. 892 to 912 . . . . 1436—46

Correction of answer to supplementary question on Starred Question No. 1155 1447—48

Daily Digest . . . . 1449—52

No. 23, Friday—14th December, 1956

Oral Answers to Questions—

Starred Questions Nos. 1169 to 1175, 1178 to 1181 1184, 1186, 1189, to 1194 and 1196 to 1200 . . . . 1453—82

Written Answers to Questions—

Starred Questions Nos. 1176, 1177, 1182, 1183, 1185, 1187, 1188, 1195, 1201 to 1221 and 895 . . . . 1483—96

Unstarred Questions Nos. 913 to 971 . . . . 1496—1530

Daily Digest. . . . . . . 1531—34

No. 24, Monday—17th December, 1956.

Oral Answers to Questions—

Starred Questions Nos. 1222, 1223, 1225, 1226, 1228, 1229, 1231, 1232, 1235, 1238, 1239, 1245, 1247, 1249, 1251 to 1255, 1257, 1258, 1261, 1265 and 1267 . 1535—63

Written Answers to Questions—

Starred Questions Nos. 1224, 1227, 1230, 1233, 1234, 1236, 1237, 1240 to 1244, 1246, 1248, 1250, 1256, 129, 1260, 1262 to 1264, 1266 and 1268 to 1273 1564—75

Unstarred Questions Nos. 972 to 1029, 1031 and 1032 1575—1602

Daily Digest 1603—06

No. 25 Tuesday—18th December, 1956.

Oral Answers to Questions— COLUMNS

Starred Questions Nos. 1275 to 1277, 1280, 1281, 1283 to 1285, 1287 to 1291, 1293, 1295 to 1297, 1299 and 1301 to 1303. 1607—36

Short Notice Questions Nos. 10 and 11 1637—40

Written Answers to Questions—

Starred Questions Nos. 1274, 1278, 1279, 1282, 1286, 1292, 1294, 1298, 1300, 1304 to 1307, 1309 to 1330 1640—54

Unstarred Questions Nos. 1033 to 1043 and 1045 to 1099 1655—94

Daily Digest 1695—98

No. 26, Wednesday—19th December, 1956

Oral Answers to Questions—

Starred Questions Nos. 1334, 1337, 1337A, 1338 to 1345, 1347 to 1349, 1352 to 1354, 1355, 1356, 1358 and 1360 1699—1726

Short Notice Questions Nos. 12 and 13 1726—28

Written Answers to Questions—

Starred Questions Nos. 1331 to 1333, 1335, 1336, 1346, 1350, 1351, 1354-A, 1357, 1359, 1361 to 1392 1728—48

Unstarred Questions Nos. 1100 to 1126, 1128 to 1132, 1134 to 1206, 1208 to 1214 and 1214 A 1749—1804

Daily Digest 1805—10

No. 27, Thursday—20th December, 1956

Oral Answers to Questions—

Starred Questions Nos 1393 to 1400, 1403, 1406, 1408, 1411, 1407, 1413, 1414, 1416, 1418, 1420, 1420-A, 1421, 1424-A, 1425, 1426, 1429 and 1433 1811—43

Written Answers to Questions—

Starred Questions Nos. 1401, 1402, 1404, 1409, 1410, 1412, 1415, 1417, 1419, 1422 to 1424, 1427, 1428, 1430 to 1432 and 1116 1843—51

Unstarred Questions Nos. 1215 to 1225, 1225-A, 1226 to 1284, 1284-A, 1287 to 1304 1852—90

Daily Digest 1891—94

No. 28, Friday—21st December, 1956.

Oral Answers to Questions—

Starred Questions Nos. 1435 to 1437, 1440 to 1444, 1445-A, 1446, 1447, 1449 to 1456, 1458 to 1460 1895—1924

Written Answers to Questions—

Starred Questions Nos. 1434, 1438, 1439, 1445, 1448, 1457, 1461 to 1481 and 1483 1924—36

Unstarred Questions Nos. 1305 to 1344, 1344-A, 1345 to 1363 1936—66

Daily Digest. 1967—70

No. 29th, Saturday—22nd December, 1956

Oral Answers to Questions—

Short Notice Question No. 14 1971—74

Daily Digest 1975—76

Resume of the Session 1971—80

Index 1—116

Note: The sign + marked above a name indicates that the Question was actually asked on the floor of the House by that Member.

LOK SABHA

Wednesday, 19th December, 1956

The Lok Sabha met at Eleven of the Clock

[MR. SPEAKER *in the Chair*]

ORAL ANSWER TO QUESTIONS

Delhi Junction Station

*1334. **Shri Ram Krishan:** Will the Minister of **Railways** be pleased to refer to the reply given to Starred Question No. 485 on the 30th July, 1956 and state:

(a) whether the scheme for remodelling of Delhi Junction Station has been finalised; and

(b) if not, the reasons for delay?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) The plan for remodelling Delhi metre gauge Yard has been finalised and the work is in progress. The plan for remodelling Delhi Broad Gauge has been drawn up and is under examination.

(b) Does not arise.

Shri Ram Krishan: May I know how many new platforms will be constructed?

Shri Alagesan: The M. G. scheme includes the following: four platform lines for handling all through traffic; two platform lines for handling suburban traffic. There are other items of work also such as washable aprons on the platform line. There are a number of items.

Mr. Speaker: He only wanted to know the platforms.

Committees for Roads and Railways

*1337. **Shri Gidwani:** Will the Minister of **Irrigation and Power** be pleased to state:

(a) whether the two Committees one for roads and the other for railways which had been constituted to study the adequacy of waterways to be provided in the road and rail embankments had submitted their reports; and

(b) if so, what are their recommendations?

The Deputy Minister of Irrigation and Power (Shri Hathi): (a) These reports have not been received yet.

(b) Does not arise.

Shri Shree Narayan Das: May I know whether these Committees have travelled through the country and, if so, the States which they have visited?

Shri Hathi: These Committees are for certain States only. One is for Bihar and the other is for Uttar Pradesh. Another Committee is for West Bengal So, these Committees for the road bridges and the rail bridges are meant for these particular areas. These Committees—the Road Committees and the Bridge Committees—will submit their reports on the conditions in respect of these specified areas only.

Shri Shree Narayan Das: May I know whether these two Committees—one for roads and the other for railways—have met together and discussed these schemes which they might recommend to the Government?

Shri Hathi: They have not met together yet. I might say that representatives of the railways are also attached to these Committees.

Shri T. B. Vittal Rao: May I know the names of members of these Committees?

Shri Hathi: For each State the members are different, but I can mention the pattern. For the road bridges, the following are the members: a representative of the Central Water and Power Commission, a representative of the Consulting Engineer to the Government of India (Roads), the Chief Engineer (Irrigation), the Chief Engineer, PWD (Roads and Buildings) of the State, the Superintending Engineer of Roads of the concerned circle, and the special officer in charge of local works. For the railway bridges, the following are the members; a representative of the railways, a representative of the Central Water and Power Commission, a representative of the State Engineering Department and of the Irrigation Department of the State. That would be the general pattern.

Pandit D. N. Tiwary: May I know whether the petitions that are sent by the people from time to time regarding the opening of bridges, etc., have been sent to these Committees for scrutiny?

Shri Hathi: I am not aware whether any representations have been received by these Committees. But generally, these Committees will examine the adequacy of the waterways and the railway bridges and they will suggest remedial measures for increasing the water-ways, protection to major bridges, protection to minor bridges, protection to embankment slopes, raising of formation levels where necessary for flood control requirements, etc. These will be generally the fields of activity of these Committees. If anybody sends representations, naturally these Committees would consider them.

Shri S. C. Samanta: May I know whether the American Rail-road Committee consisting of Messrs. Sanderson and Porter is going to submit a report?

Shri Hathi: That is not within the purview of these Committees. That is a separate subject.

Eastern Region Floods

*1337-A **Shri Sanganna:**
Dr. Ram Subhag Singh:
Shri M. Islamuddin:

Will the Minister of **Irrigation and Power** be pleased to state whether Government propose to set up a commission to study the causes of high floods in Eastern U.P., Bihar, Orissa, West Bengal, Assam and other parts of the country?

The Deputy Minister of Irrigation and Power (Shri Hathi): As indicated in the statement on the flood situation made in the House by the Minister of Irrigation and Power on the 12th December, 1956, it is proposed to set up a High-Level Committee to examine broadly the flood problems in the country and suggest the lines on which flood protection work would be undertaken hereafter.

Shri Sanganna: May I know whether the Commission has started functioning?

Shri Hathi: No, Sir. The matter is under consideration. The statement was made only on the 12th December, 1956—a few days back. The composition of the proposed High-Level Committee has not been considered.

Shri Shree Narayan Das: May I know whether the State Governments concerned would be consulted before the personnel of the Committee is decided upon?

Shri Hathi: Definitely.

Rockefeller Foundation

*1338. **Shri Bibhuti Mishra:** Will the Minister of **Health** be pleased to state:

(a) whether it is a fact that Rockefeller Foundation (America) has announced grants to some Indian Schools in the field of preventive medicine; and

(b) if so, the special features of the grants?

The Minister of Health (Rajkumari Amrit Kaur): (a) Yes. A grant of Rs. 1,36,800/- covering a period of 3 years was announced by the Rockefeller Foundation during the second quarter of 1956 to the Christian Medical College, Ludhiana, for continuing the experiment with the newer methods of preventive medicine teaching, field investigations, and demonstrations.

(b) The outstanding feature of the scheme is that the approach of the student to health problems is given a strongly preventive and practical bias and class-room teaching is reduced to a minimum.

श्री विभूति मिश्र : क्या सरकार लुधियाना के क्रिश्चियन कालेज के अलावा हिन्दुस्तान की और जगहों में भी रोग का निषेध करने के सम्बन्ध में इस तरह की सहायता दे कर ऐसा प्रयोग शुरू करना चाहती है ?

राजकुमारी अमृत कौर : जी हां हमारे देश में यह पहला कालेज था, जिसने प्रिवेन्टिव मेडिसिन का विभाग खोला । इसलिये उसको यह मदद दी गई । इसके बाद वेलोर कालेज में भी ऐक एसा विभाग खोला गया और उसको भी मदद दी जा रही है । हमारी तो यही आशा है कि हमारे देश के हर एक मेडिकल कालेज में एक ऐसा विभाग खोला जाय ।

श्री फीरोज गंधी : क्या मंत्राणी जी यह बताने की कृपा करेंगी कि यह जो स्कालरशिप ले कर लड़के बाहर जाते हैं, तो वापस आने पर उनको कोई नौकरी भी मिलती है, या वे बेकार ही घूमते हैं ?

राजकुमारी अमृत कौर :जी नहीं । जो लड़के या लड़कियां गवर्नमेंट की तरफ से चाहे राक फैलर फाउंडेशन, या फोर्ड फाउंडेशन या किसी और फाउंडेशन के अधीन यहां से बाहर भेजे जाते हैं उन में से ऐसा कोई नहीं है जिसके लिये यहां नौकरी मौजूद न हो। मेरी मिनिस्ट्री की तरफ से ऐसा कोई नहीं भेजा जाता जिसे यहां आने पर नौकरी न मिले ।

श्री विभूति मिश्र : मैं जानना चाहता हूं कि लुधियाना में इसका जो एक यूनिट खोला गया है उसमें सरकार का कितना खर्चा पड़ता है, और उसमें ट्रेनिंग देने की व्यवस्था में कितना समय लगता है ?

राजकुमारी अमृत कौर : जो वहां इस विभाग के लिये शिक्षा मिलती है यह तो मेरे ख्याल से शुरू से और आखिर तक मिलती रहती है इसका ध्येय यह है कि हमारे विद्यार्थी अध्यापकों के नेतृत्व में गांवों में जायें और शुरू से आखिर तक वहां के जो कुटुम्ब हैं उनको देखें ताकि उनको पता चले कि गांवों की समस्यायें क्या हैं और किस तरह से वहां बीमारियां फैलती हैं । इस तरह से उन में गांवों में काम करने की दिलचस्पी पैदा होती है ।

श्री विभूति मिश्र : अब तक ये विद्यार्थी गांवों में जा चुके हैं और कितने आदिमियों की सेवा कर चुके हैं आदमियों की सेवा की जा चुकी है ?

राजकुनारी अमृत कौर : मैं ने खुद यह काम देखा है । लुधियाना में शायद ऐसे कोई दस गांव हैं जहां गांव हैं जहां ये लड़के जाते हैं ।

Foreign Butter and Butter Oil

*1339. **Shri Bheekha Bhai:** Will the Minister of **Food and Agriculture** be pleased to refer to the replies given to Starred Questions Nos. 2576 and 1538 on the 28th May, and 30th August, 1956 respectively and state:

(a) whether any representation has been received by Government for revising the list of agencies which receive butter and butter oil as free gifts from foreign countries for distribution;

(b) whether the Bharat Sewak Samaj, Social Welfare Board and other non-official associations are not regarded by Government as appropriate agencies for distribution of such gifts; and

(b) if so, the action taken thereon?

The Deputy Minister of Food (Shri M. V. Krishnappa): (a) No, sir.

(b) and (c). Do not arise, as distribution of relief supplies received under the Indo-US Agreement, 1951, is not done at Government instance but by the relief agencies themselves through distributors of their own choice.

श्री भीखा भाई : क्या मैं जान सकता हूं कि इस सम्बन्ध में कितने तार भारत सरकार के सामने प्रस्तुत हुये ?

श्री मो० वे० कृष्णप्पा : कोई तार नहीं आया ।

Shri Bheekha Bhai: May I know whether the distribution cannot be made through voluntary agencies which are working in the Adivasi area?

Shri M. V. Krishnappa: That we will consider when we next revise the agreement.

Shri Bheekha Bhai: When this question was brought to the notice of the hon. Minister he assured us that he would change the procedure of distributing foreign butter oil and butter through other agencies.

Shri M. V. Krishnappa: Whatever assurances have been given will be fulfilled.

Shri Bhagwat Jha Azad: In view of the innumerable questions that have been put in this House, we would like to know what action Government has taken to see that the distribution of these things is not exploited for political purposes.

Shri M. V. Krishnappa: We are going to revise this agreement very soon, when everything will be corrected.

Shrimati Renu Chakravartty: Is there any method of check-up to see whether this butter oil is distributed free to the people in the interior villages or not?

Shri M. V. Krishnappa: In fact, they have to submit to the Government a certificate from the Local Collector, wherever these have been distributed.

Shri Bheekha Bhai: May I know whether any complaints have been received that the butter and butter oil was not distributed free of cost?

Shri M. V. Krishnappa: The question was whether any representation has been received by Government to include the Bharat Sevak Samaj and other voluntary agencies. I replied that when we next revise the agreement we will have all these things in mind.

Express Goods Train Service

***1340. Shri Jhulan Sinha:** Will the Minister of **Railways** be pleased to state:

(a) whether the running of express goods train has been favourably received by those for whom it is intended; and

(b) whether the response has been found financially encouraging?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) and (b). Yes.

Shri Feroze Gandhi: Since the introduction of these express goods trains, how many trains have actually run and how many have had to be cancelled between Bombay and Calcutta, or elsewhere? What I mean to say is that they are not running to schedule.

Shri Alagesan: From Howrah the following trains were run:

Howrah-Asansol;
Howrah-Dhanbad;
Howrah-Kanpur;
Howrah-Gaya;
and Howrah-Delhi.

Of these the following trains were discontinued;

Howrah-Asansol; and
Howrah-Dhanbad.

These trains were discontinued from 15-7-56 and Howrah-Gaya train was discontinued from 1-10-56.

Shri Feroze Gandhi: My point was: Are these trains running to schedule or not, or are they cancelled from time to time?

Shri Alagesan: The scheduled time has been fixed—so many days for each train. These trains were cancelled due to the fact that traffic offered was not big.

Shri P. C. Bose: May I know *if* there is any difference in the freight rates of goods carried by express goods trains and ordinary goods trains?

Shri Alagesan: Yes.

Shri P.C. Bose: What is the difference?

Shri Alagesan: I think it is 6 pies more per rupee—I am speaking subject to correction. Wherever the schedule is not kept then that excess charge collected is being refunded.

Shri Jhulan Sinha: May I know if any amount has been refunded to those who sent their goods by these trains. because, the goods did not reach their destination in time?

Shri Alagesan: I have got some figures. On the Southern Railway my information is that Rs. 1,603 was refunded. The total collected was Rs. 75,598.

Shri K. C. Sodhia: What is the total number of these trains running per month?

Shri Alagesan: I am not able to give the figure without specific notice.

Shri Feroze Gandhi: These trains are running to a schedule and a time-table. May I know if in the last one year whether these schedules and the time-tables were cancelled at any time. If so, how many such trains were cancelled, that means they did not operate according to the time-table?

Shri Alagesan: I am not able to follow the hon. Member fully.

Shri Feroze Gandhi: Then do not answer.

Shri Alagesan: Wherever the refund occurred, it occurred because the train did not run to the scheduled time. If the scheduled time is four days and the train takes more than four days then the extra amount collected is refunded to the parties.

Shri Feroze Gandhi: The Deputy Minister has not followed.

Shri M. K. Moitra: Will Government be pleased to state if there is any arrangement to see that the carrying capacity of the wagons is fully utilised?

Shri Alagesan: Yes, that is being taken care of.

Rise in Foodgrains Prices in Tripura

***1341. Shri Dasaratha Deb:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether the price of foodgrains is rising in Tripura;

(b) whether the Food Coordination Committee, Tripura has drawn the attention of Government to the rise and suggested certain steps to be taken immediately; and

(c) if so, what are the steps taken by Government to give relief to the people and bring down the price of foodgrains?

The Deputy Minister of Food (Shri M. V. Krishnappa): (a) Rice continues to be issued in Tripura from Government fair price shops at the rate of Rs. 15/- per maund. Supplies at this rate cover a large section of the population. There has, however, been some rise in the open market prices.

(b) Yes, Sir.

(c) State Government are issuing rice through a number of fair price shops and these issues will continue.

Shri Dasaratha Deb: May I know whether Government is aware that one Jadab Sukla Das. a refugee from Anandanagar Colony of Tripura died of starvation on the streets of Agartala near Mathchamuhini on the 1st of December and if so, whether, his dead body was taken to the hospital for *post mortem* examination; if so, what are the findings and has any relief been rendered to the starving families of the deceased?

Shri M. V. Krishanappa: No such report has been received by us. We are in constant touch with Tripura. We send our officers often there. It may have so happened that one of the persons who was starving in Pakistan might have come here and died. Tripura is surrounded by Pakistan. The starving people from Pakistan come to India and maybe one of the men who was starving there might have come and died here. We have no reports to say that anyone of our people have died here.

Shrimati Renu Chakravartty: May I know what is the quantity of foodgrains which is required for Tripura and what is the quantity that is allocated to be distributed through the fairprice shops of Government?

Shri M. V. Krishnappa: We are meeting the demand of 80 per cent of the people of Agartala in Tripura State at the rate of 12 oz. a day. Only 20 per cent of the people, who have lands, who are mostly rich people, are not supplied by us. We have got enough rice stocks there, because sometimes it is difficult to reach it as it is a pocket. We air-lifted rice. We could not take rice in the beginning through Pakistan.

Shri Velayudhan: May I know whether cards are issued to the individual families so that they can go to the fair price shops and get foodgrains?

Shri M. V. Krishnappa: In Tripura it has been done; not in other places.

Shri Dasaratha Deb: May I know whether it is a fact that rice in fair price shops has never gone beyond the periphery of Agartala town? Especially in the hill areas and rural areas, rice has never been supplied.

Shri M. V. Krishnappa: In fact, by the time the hon. Member returns to Tripura, the question will be otherwise. Prices are falling because of good crops. In the south I have received reports of fall in price by Rs. 8 per maund. It has gone down by Rs. 6 a maund in Andhradesh and Tanjore. We expect a good rice crop. The harvest has started. Reports since last week show that prices are falling steeply. Our fear is that by the time of the elections people may exploit low prices.

Assistance to Displaced T. B. Patients

***1342. Pandit D. N. Tiwary:** Will the Minister fo **Health** be pleased to state:

(a) whether the Union Government had refused to give additional money to the Delhi State authorities during this year for assitance to the deserving displaced T. B. Patients; and

(b) if so, the reasons therefor?

The Minister of Health (Rajkumari Amrit Kaur): (a) and (b). No. A sum of Rs. 15,000/- was sanctioned to the Government of Delhi on the 8th June, 1956 for granting financial assistance to deserving displaced T. B. patients. No request for an additional grant was received.

Pandit D. N. Tiwary: May I know whether the attention of the hon. Minister was drawn to the debate in the Delhi Vidhan Sabha where the Minister said that it was impossible to give aid to T. B. patients because the Union Government had refused aid?

Rajkumari Amrit Kaur: Perhaps the hon. Member is referring to the incident last year, 1955-56. A grant of Rs. 10,000 was made to the Delhi State Government. Up to the end of 1955, they had not spent any of that money. In spite of that reminders were again sent to the several States where there are refugees saying that there was a little money still left over and we would give an extra grant. No reply, in spite of reminders, was received from Delhi till March, when it was impossible for them to spend any more money during the financial year. The Advisory Finance Committee said that the States that had spent their money and that had asked for more money before Delhi's request for Rs. 8000 came, would get the extra money and not Delhi.

Pandit D. N. Tiwary: May I know whether the Union Minister of Health repudiated that charge of the Delhi Minister?

Rajkumari Amrit Kaur: I have already explained the circumstances of the case. We had to say no, because we never got any request from them in time. The money that was given to them up to the end of 1955 had not been spent. They did get Rs. 10,000 for that year.

Shrimati Ila Palchaudhury: May I know whether some of the T. B. patients in some T. B. After-care homes have been refused admission because it has been said that they have already got help from the Government?

Rajkumari Amrit Kaur: I do not know to which State the hon. Member is referring. But, I have not got any news to that effect with me.

Power Generation

***1343. Shri L. N. Mishra:** Will the Minister of **Irrigation and Power** be pleased to state:

(a) the comparative cost of power generated by the River Valley Projects of (i) Hirakud, (ii) Bhakra Nangal, (iii) Damodar Valley Corporation; and

(b) the rate at which power has been made available to the consumers by each?

The Deputy Minister of Irrigation and Power (Shri Hathi): (a) and (b). A statement is laid on the Table of the House. [*See* Appendix V, annexure No. 42].

Shri L. N. Mishra: From the statement it appears that difference in the cost of power generation in these three projects is wide especially in the first stage. May I know the factors that have contributed to the low cost of power generation in Bhakra and the factors that have led to the high cost in the D.V.C.?

Shri Hathi: The statement, as will be found, shows some difference in the first stage between Hirakud and Bhakra and D.V.C. In the second stage, there is not much difference between Hirakud and Bhakra. In the one case it comes to ·25 annas and in another case it is ·2 annas. In the case of D.V.C. it is ·364. That is because most of it is thermal power. Thermal power is costlier than hydro power. So far as the first stage in Bhakra is concerned, we are supplying only power from the power generated at Nangal that is, the Ganguwal and the Kotla Power-house. After the Bhakra dam is there, we will be getting more power and the average cost of production will be less.

Shri L. N. Mishra: The rate at which power is to be supplied to the consumers from these three projects, does not show much of resemblance with the cost of production in these three projects. How are you going to do it? Are you going to have a pool or subsidise the supply of power?

Shri Hathi: So far as D.V.C. and Bhakra power is concerned, there is no possibility of pooling. They are far away. As I said, the D.V.C. power is costlier because it is thermal power. In the case of thermal power, cost of production is greater and the cost of supply is also greater. As will be seen from the statement, the rate at which power is to be supplied from the D.V.C. is higher than the rate at which power is to be supplied from other places. The reason is the high cost of production in the D.V.C. There is no possibility of connecting D.V.C. with Bhakra.

Shri Velayudhan: On what basis is this cost per unit calculated? Has the capital expenditure also been included? If so, will the hon. Minister compare it with the cost per unit in other countries like the U.S.A.?

Shri Hathi: The rate of power supply is determined on the basis of the cost of generation in this country. We cannot compare the cost of generation of power in one country and the rate at which it is to be supplied in another country. We have to adjust the rate of supply on the basis of cost of production in this country.

Shri Velayudhan: The hon. Minister has given the unit cost here. Is it higher than the cost in China?

Shri Hathi: I have no comparative figures for China.

Shri K. C. Sodhia: The hon. Minister said that the cost of production cannot be compared. The question is whether in calculating the cost of production, they have included the capital amount spent on the project. I want to know that.

Shri Hathi: I did not mention that cost of production cannot be compared. I said that the cost of production in one country and the rate at which it is supplied in another country cannot be compared. Cost of production in the same country can be naturally compared and it should be compared. The statement shows the comparative rates in the three projects here.

Shri K.C. Sodhia: I want to know whether in calculating the cost of production, the amount spent on capital of the project has been taken note of.

Shri Hathi: Yes; it is taken note of.

Shri L. N. Mishra: Has the attention of the Government been drawn to a series of articles by Mr. Hart, coming from the T.V.A. that the cost of power generation in our country is comparatively cheaper than in the U.S.A. and other countries?

Shri Hathi : Mr. Hart was here for some time and he had a study tour of the different projects. He has written a book on the Rivers in India. He has made a statement. I do not know whether I should take it as an authoritative one. I, therefore, said I had no information officially so far as China was concerned.

Geonkhali Port

*1344. **Shri S. C. Samanta:** Will the Minister of **Railways** be pleased to state:

(a) whether in 1948-49, the then B.N. Railway conducted a survey to find out possibilities to develop Geonkhali into a ship-building yard and to have Railway connection thereto;

(b) if so, whether the report of the same will be laid on the Table;

(c) whether it is a fact that recently the World Bank experts have recommended that a port on the Western bank of the Hooghly River especially at Geonkhali should be established and a Railway connection should also be established; and

(d) if so, when Geonkhali is going to be turned into a port to facilitate carrying of imported steel to steel plant areas all of which are on the South Eastern Railway ?

The Deputy Minister of Railways and Transport (Shri Alagesan) : (a) No.

(b) Does not arise.

(c) The relevant extract from the World Bank Mission Report is placed on the Table of the House. (*See* Appedix V, Annexure No. 43].

(d) The matter is under examination in the Ministry of Transport.

Shri S. C. Samanta: May I know whether in 1946-47, Shri S.M. Afzal, D.T.S., B.N. Railway made a survey of the line from Contai to Contai Road and surveyed another alternative line from Machada to Contai and said that the percentage of return on capital on the alternative line would be 6.6 per cent? Is it true?

Shri Alagesan : I do not have that information with me. I will look into it.

Shri C. R. Narasimhan : May I know whether the Government are considering the question of asking these World Bank experts to investigate the possibility of developing ports other than Geonkhali as well—ports in Orissa, Point Calimere and the Tuticorin port ?

Shri Alagesan : The World Bank Mission have expressed a desire to examine questions relating to ports, shipping and railways. Geonkhali is one such port which we propose to ask them to look into. They will also examine the conditions in other ports and also find out as to how far they could help us in increasing the capacity of the other ports. I am not at present able to say what are all the ports that they will look into, but the suggestions of the hon. Member will be kept in mind.

Shri S. C. Samanta: Is it not a fact that on the objection from the railways this port scheme was not taken up in the Second Five Year Plan on the ground that the capital cost would be heavy and that there would be no return cargo, and may I know whether at present the Railway is convinced that there will be return cargo, as the Chamber of Commerce have written to them that they want a port there ?

Shri Alagesan : It is true that as the hon. Member has stated the railways feel that there will be no return cargo, and the construction of a railway line will not be a paying proposition, but the railways and the Transport Ministry are prepared to leave this question to be looked into by an independent body of persons like the World Bank Mission.

Shri Matthen : In view of the offer of the World Bank to help the development of shipping and ports, has the Ministry sent any proposal, and if so, what is the amount asked for from the World Bank ? Have they sent any proposal for getting help from the World Bank ?

Shri Alagesan : All the proposals that we would like to be seen and vetted by the World Bank Mission will be placed before them. I am at present not able to indicate the actual amounts that will be required for this purpose.

Automatic Ticket Machine

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*1345. { **Shri Bhagwat Jha Azad :**
Shri Shivananjappa :

Will the Minister of **Railways** be pleased to state :

(a) how far the experiment of automatic ticket machines has proved sucessful; and

(b) in how many stations such machines have been installed ?

The Deputy Minister of Railways and Transport (Shri Alagesan) : (a) Installation of automatic printing machines has proved successful.

(b) 53 stations.

Shri Bhagwat Jha Azad : As a result of the successful experiment do Government propose to extend this experiment to other stations as well ?

Shri Alagesan : Yes, Sir. I have got information here which says that the Western Railway proposes to extend this facility to seven more stations.

Shri Bhagwat Jha Azad : What is the result of this experiment by way of economy of time and money over the present system of distribution ?

Shri Alagesan : There are a number of advantages. There are too many. Perhaps I can press on the list to the hon. Member.

Mr. Speaker : No, no. He only wants to know two things, one regarding time and the other regarding money; saving in money and saving in time.

Shri Alagesan : This enables prevention of fraud; the issue of tickets out of series and misappropriation of fares thereon are eliminated. The re-issue of tickets by re-dating will also not be posible as the date of issue will be printed on the ticket in ink by the machine instead of being stamped as at present. In certain cases the hour of issue is also printed.

With regard to time, the maximum speed achieved in the issue of tickets by the machine during the trial period was roughly 700 per hour, and is likely to be increased to a thousand per hour with more experience, as against the normal issue of about 300 in an hour according to the present system.

Shri Bhagwat Jha Azad : May I know how far this method would displace the hands at present employed ?

Shri Alagesan : There will be some saving in staff and it will lead to reduction in working expenses, but I am not able to give the actual quantum.

Shri Velayudhan : May I know whether in Delhi Main Station this was introduced and whether there was any retrenchment made because of this ?

Shri Alagesan : I am not able to say whether it is in Delhi Main.

Shri Velayudhan : About Delhi Main Station the Minister wants notice ? It is strange.

Shri Alagesan : Nothing wrong if I ask for notice.

Shri Velayudhan : I know nothing wrong with the Minister.

Shri Alagesan : On the Northern Railway there is only one station. Perhaps it is Delhi Main Station. I am not aware.

Shri Achuthan : The hon. Minister said that in the Western Railway this is going to be introduced in seven more stations. May I know in how many more stations altogether on the Indian railways this new system is going to be introduced in the new year and how many in the Southern Railway ?

Shri Alagesan : There are at present seven stations in which this facility exists. I am not able to say whether the Southern Railway has got any proposal to extend this facility to other stations.

Second Five Year Plan for Kerala

***1347. Shri A. M. Thomas** : Will the Minister of **Planning** be pleased to state :

(a) what would be the total outlay according to the Second Five Year Plan in the State of Kerala;

(b) the estimated expenditure for the District of Malabar under the plan as incorporated in the Madras Plan ;

(c) what are the major heads of expenditure for Malabar ; and

(d) whether the allotment for Malabar is likely to be revised under the new set-up?

The Deputy Minister of Planning (Shri S. N. Mishra) : (a) to (d) The total outlay under the State Plan of Kerala after allowing for territorial adjustments will be finalised shortly. The outlay for Malabar District as such in the revised Second Plan of Madras is still to be worked out.

Shri A.M. Thomas : In view of the general principle that was adopted in allocating the outlay for the various States which was based more or less on the population basis, may I enquire whether as regards Malabar also that principle would be adopted?

Shri S. N. Mishra : I have stated on a number of occasions that it was not only on the basis of population. A number of important considerations had to be taken into account, but population is also no doubt an important factor and that would be taken into account in transferring the amount from Madras to the State of Kerala.

Shri A. M. Thomas : It was reported that the amount that has been allocated to the Malabar region from the Madras Plan comes to only about Rs. 15 crores or so. Is the Planning Commission satisfied with that figure, and will it not be grossly inadequate if the population basis is taken into consideration ?

Shri S.N. Mishra: The Planning Commission is having consultations with the representatives of the Governments of Kerala and Madras. In fact, some discussions have already taken place with the representatives of these two Governments, and I can say roughly that it would be two to three crores of rupees more than what is mentioned by the Government of Madras, but all that is in the stage of discussion.

Mr. Speaker : Next question.

Shri Velayudhan : This is important.

Mr. Speaker : Everything is important. I cannot get along.

Shri Punnoose : I want to ask one question.

Mr. Speaker : Very well.

Shri Punnoose : What is the allotment for Madras State as a whole, and what will be the amount if it is calculated on a population basis for Malabar ?

Shri S. N. Mishra : The outlay for Madras State is Rs. 173·06 crores, but I cannot say what should be the share of Malabar District on the basis of population. The figure that was mentioned by the hon. Member, Shri A. M. Thomas, namely, Rs. 15 crores was not only in regard to the District of Malabar, but also for the Kasargoda Taluk of Kanara District.

Shri A. M. Thomas : Then it is worse.

Shri Punnoose : What is the amount asked for by the Kerala Government as its share ?

Shri S. N. Mishra : I do not think they have mentioned any figure, but even if they have, I do not have it with me just now.

Shri Velayudhan : May I know whether the Minister is aware that Madras Government had allocated only an insufficient sum to Malabar District when compared with the allocation to the Tamil area, and will this matter be considered when the final reallocation is made for Malabar District ?

Shri S. N. Mishra : There is an insinuation in this question that justice has not been done to the District of Malabar in comparison with other districts of the Tamil Nad area. I do not accept that assumption of the hon. Member.

Rural University

*1348. **Shri Gadilingana Gowd** : Will the Minister of **Food and Agriculture** be pleased to state :

(a) whether it is a fact that the first rural University in India having an agricultural bias in all its courses of studies is to be established at Rudrapur in Uttar Pradesh;

(b) whether the Technical Co-operation Mission has submitted a blue print in this connection; and

(c) if so whether the University Grants Commission has accepted this proposal ?

The Minister of Agriculture (Dr. P.S. Deshmukh) : (a) The Government of U.P. have submitted a proposal for the establishment of a Rural University at Rudrapur which is receiving consideration of the Government of India.

(b) A blue-print for a Rural University in India has been prepared by an American Specialist whose services were secured for the purpose by the U.P. Government under the Indo-U.S. Technical Co-operation Programme.

(c) The proposal is still under discussion among the Ministries concerned.

Shri Gadilingana Gowd: May I know the medium of instruction in the proposed university and whether that university is expected to be self-supporting?

Dr. P. S. Deshmukh : It is not possible that this university could be self-supporting. So far as the medium of instruction is concerned I do not think there is any insistence on any particular medium of instruction. It will be for the university to decide.

श्री भक्त दर्शन : क्या मंत्री महोदय यह बतलाने की कृपा करेंगे कि इस ग्रामीण विश्वविद्यालय में और अन्य साधारण विश्व विद्यालयों में क्या विशेष अन्तर होगा ।

डा० पं० शा० देशमुख : वह ग्रामीण होगा । इसके अलावा कुछ और भी फीचर्स बातें हैं, जो स्पेशल विशिष्ट हैं । इसके अन्दर ज्यादा एम्फेसिस एग्रिकल्चर और पशु पालन की तरफ होगा और खास तौर से कृषि की तरफ ज्यादा ख्याल दिया जायेगा ।

Shri Ramchandra Reddi : May I know whether this will come within the purview of the University Grants Commission, and whether it is proposed to consult them ?

Dr. P. S. Deshmukh : Yes, I think it will probably be incumbent upon us to consult the Commission.

Shrimati Renu Chakravartty : May I know whether the foreign experts who will be coming to this university to teach will have knowledge of our soil and the conditions of Indian agriculture ? May I also know whether these experts will study how the yield can be increased by utilising the facilities available for Indian agriculture, or will they study only the methods which they have adopted in their country and which they are going to teach to us ?

Dr. P. S. Deshmukh : This blueprint has been framed by a U.S.A. technician. Apart from that, there is no proposal at the moment to have the university under the supervision or guidance of any technicians. It will be for the university to decide whether they want any foreign experts or not. We presume that it will be essentially and predominantly manned by Indian personnel.

Shri H. G. Vaishnav : May I know whether any other states submitted proposals for the esteblishment of such rural universities in their territories ?

Dr. P. S. Deshmukh : Two other proposals were there, one from Punjab and another from Andhra.

Mr. Speaker : Next question.

Shri K. C. Sodhia : Have the Central Government given any grant..........

Mr. Speaker : I have called the next question already.

Shri Gadilingana Gowd: May I put one supplementary ? I have not been allowed to put more than one supplementary ?

Mr. Speaker : A number of other hon. Members have elicited all the points that the hon. Member wanted.

Shri Gadilingana Gowd : But the particulars that I wanted could not be elicited.

Mr. Speaker The hon. Member must have got up qickly.

Shri Gadilingana Gowd: I did get up

Mr. Speaker: If he had got up, he would have been called. Now, whichever hon. Member puts the question must be ready with his other questions also.

Shri Gadilingana Gowd: I had them ready. I got up, but in the meanwhile, you had called the next question.

Mr. Speaker: The others have overpowered the hon. Member.

रेलों द्वारा कोयले की ढुलाई का भाड़ा

*१३४६. **श्री सू० चं० सोधिया :** क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) रेलों के उपयोग में आने वाले कोयले की रेलों द्वारा ढुलाई के भाड़े का अनुमान वर्ष १९५५–५६ के आयव्ययक में कितना किया गया था ;

(ख) क्या इस ढुलाई भाड़े की राशि को उस वर्ष के संचालन व्यय में शामिल किया गया था ;

(ग) यदि हां, तो वह रकम कितनी थी ; और

(घ) यदि नहीं, तो इसका क्या कारण है ?

रलवे तथा परिवहन उपमंत्री (श्री अलगेशन) : (क) और (ग) १३,३०,०३ ०००·

(ख) और (घ). यद्यपि शुरू में पार्लियामेंट का वोट लेते समय यह रकम ईंधन खर्च (Fuel Expenses) की मांग में रखी जाती है, लेकिन इस समय हिसाब रखने का जो ढंग है उसके अनुसार बाद में इसे मांग से बाहर खर्च में घटा कर दिखाया जाता है क्योंकि यह रकम एक तरह से रेलवे की आमदनी है और इसी वजह से और इसीलिये ऐसा करने से रेलवे के असली परिचालन खर्च (operational expenses) और असली माली हालत (financial position) पर कोई असर नहीं पड़ता ।

Shri K. C. Sodhia: May I know whether the working expenses will not be lowered if this huge amount were taken away from the working expenses?

Shri Alagesan: It is true that working expenses are incurred. But these amounts have again to be credited to the railways as their own earnings. In order not to inflate the earnings of the railways, this procedure has been adopted.

Shri K. C. Sodhia: You have deliberately lowered down your working expenses by eliminating this amount out of the working expenses or by not taking it into account in your working expenses. That is wrong.

Mr. Speaker: The hon. Member evidently means that both sides of the picture, the working expenses as also the income must be shown, so as to give an idea to Parliament, so that whoever is interested may know the total expenditure and the total income.

Shri Alagesan: I could not follow.

Mr. Speaker: I understood the Minister to say that because the income is credited to the revenues, this expenditure is not shown.

Shri Alagesan: The expenditure is voted upon by Parliament and it is submitted to the vote of Parliament. But it is shown as a reduction outside the Demand because it is the railways' own earnings.

Shri K. C. Sodhia: What I meant to say was that by the elimination of this huge amount, the working expenses are shown lower than what they would be if the amount were taken into account into the working expenses. That is a plain fact.

Mr. Speaker: The hon. Member's point is that the full real expenditure has not been shown. That is a matter for argument. The hon. Minister may consider it.

Shri Feroze Gandhi: Coal and the materials for railway consumption form part of the non-revenue traffic. When that is the case, may I know why these amounts are unnecessarily added and then deducted? What is the point in doing so? We would like to understand why it is done so, because it is non-revenue traffic.

Shri Alagesan: It is only a matter of procedure, as I have explained in my answer. I am prepared to go into that.

Mr. Speaker: That has been the ancient practice, and they are following it. The Minister will look into that matter.

Schools in Railway Colonies

*1352. **Shri Sanganna:** Will the Minister of **Railways** be pleased to state:

(a) the extent to which expenditure for the running of the primary and elementary schools in the Railway colonies is borne by the respective State Governments;

(b) the policy with regard to the opening of new schools as well as the schools already in existence; and

(c) whether the State Governments have been consulted in the matter?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) to (c). A statement is placed on the Table of the House. [*See* Appendix V, annexure No. 44.]

Shri Sanganna: May I know what kind of control the State Governments have over these schools?

Shri Alagesan: With regard to curricula and other requirements such as equipment etc. we have to fall in line with the rules and regulations enforced by the Education Departments of the various States.

Shri Sanganna: May I know whether these schools are inspected by the Education Departments of the concerned States?

Shri Alagesan: The educational officers of the State concerned inspect these schools. We have also appointed special inspectors to go into the working of these schools and make their recommendations.

Inter-State Navigation Canal

*1353. **Shri H. G. Vaishnav:** Will the Minister of **Transport** be pleased to state:

(a) whether the scheme of a new Navigation Canal connecting West Bengal, Assam and Bihar by linking the Ganga, the Teesta and the Brahmaputra rivers is under the active consideration of Government for the purpose of inter-State navigation; and

(b) if so, the estimated expenditure likely to be incurred over this scheme and the part of the expenditure to be borne by the States concerned?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) No.

(b) Does not arise.

Shri H. G. Vaishnav: May I know whether some such scheme was under the consideration of Government sometime before?

Shri Alagesan: Yes, there were various schemes. Even now, the Central Water Power Commission have prepared a master plan. It is a very ambitious plan, and it proposes to connect the northern rivers with the southern ones and also the east coast with the west coast.

Shri Bhagwat Jha Azad: May I know whether any of these State Governments has forwarded any proposal to the Union Government for opening up these useful rivers for navigational purposes?

Shri Alagesan: Yes. As far as navigation on the rivers the Ganga and the Brahmaputra goes, there is a water board which co-ordinates the various schemes of the State Governments and undertakes works.

Shri Barman: About two months back, some engineers and others were surveying the northern part of West Bengal. On enquiry, I understood that the survey was being made with a view to explore the possibilities of having a scheme for connecting the Brahmaputra with the Ganges through North Bengal. But the Minister has said, no. May I know whether any such survey is going on or not?

Shri Alagesan: I am not aware. I do not know with respect to what particular scheme that survey was conducted. I shall make enquiries.

Transport Difficulties

*1354. **Shri Matthen:** Will the Minister of **Transport** be pleased to state:

(a) whether the attention of Government has been drawn to the proceedings of the recent meeting of the Export Advisory Council at which the representative of the Associated Chamber of Commerce observed that the Transport position is an mportant factor for the fall in export earirnings; and

(b) if so, whether Government propose to pay more attention to the surface tansport by making it more economicaand efficient?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Yes.

(b) Steps are being taken to ensure the co-ordinated development of all forms of Transport *viz.*, Rail, road and sea.

Shri Matthen: May I know what are the important and concrete steps taken so far or are proposed to be taken?

Shri Alagesan: The major thing is that rail capacity available being insufficient to carry the quantum of traffic that will be generated in the course of the Second Plan period, we have to devise ways by which road transport can come and fill the gap. With a view to achieve that, as hon. Members are aware, we have recently passed a Bill also. That will enable more trucks and buses being put on inter State routes. We have also considered this question in the Transport Advisory Council, where the representatives of the various State Governments participate, that the State Governments should consider relaxing the restrictions that at present exist on traffic moving between one region and another within the States concerned. With a view to facilitate such traffic, various steps have been taken.

Then with regard to enabling more goods being carried by sea, the House is aware that a Committee is going into this question just at present. We expect the report of the Committee to be submitted shortly. Then we will be able to consider its recommendations.

Shri Matthen: What has happened to surface transport, not coastal transport? Does the hon. Minister feel that an assurance to the private sector that there won't be nationalisation, at least during the Plan period, will help to develop road transport?

Shri Alagesan: I have already stated several times on the floor of the House that as far as goods transport goes, there is no question of nationalisation within the Second Plan period. Even with reference to passenger transport services, it will be done as per programme prepared by the State Governments, and those programmes also will be phased by them.

Shrimati Tarkeshwari Sinha: In reply to (b), the hon. Minister has said that they are going to maintain Co-ordination between rail, road and sea. One of the factors that make this Co-ordination difficult is that we have very few ports. Many of the minor ports have been left undeveloped because they have been proved uneconomical for some time. In view of this acute problem, do Government propose to explore the possibilities of developing also those ports on the coastline which have been left undeveloped so far?

Shri Alagesan: The question of minor ports has not escaped the attention of Government at all. It is true that minor ports are in the administrative charge of State Governments. The State Governments have prepared various schemes with reference to minor ports. They receive priority, and those schemes have been vetted here. Also loan assistance has been granted to the State Governments.

Indo-Pakistan Traffic

*1355. **Shri Debendra Nath Sarma:** Will the Minister of **Railways** be pleased to state whether Government propose to negotiate with the Government of Pakistan introduction of through traffic between India and East Pakistan particularly between Calcutta and Amingaon of the N.E. Railway *via* Parbatipur of East Pakistan?

The Deputy Minister of Railways and Transport (Shri Alagesan): The booking of through traffic from stations on Indian Railways to stations on Pakistan Railways and *vice versa* has all along been allowed except that passengers have, at present, to purchase fresh tickets at the border stations in the other country.

Booking of traffic between Calcutta and Amingaon is permissible by the Banpur-Santahar-Mghalhat-Alipurduar route but the opening of Parbatipur route is still under consideration of the Pakistan authorities.

Shri Debendra Nath Sarma: By what time the finalisation of this agreement between our Government and the Pakistan Government is expected?

Shri Alagesan: We will have to await their reactions. I am not yet able to say by what time they will be able to give their reactions.

Shri Barman: Passengers have, no doubt, to purchase fresh tickets at the Pakistan station. But they have to be armed with passes also. Was it not under contemplation to negotiate with Pakistan so that passenger traffic also could be arranged through Pakistan without any passport, by devising some arrangement whereby the passengers do not move away from the railway stations while travelling through Pakistan? If so, what is the result of such negotiations?

Shri Alagesan: I do not think I am competent to answer that question. The railways make arrangements for goods being transported across Pakistan. So also is the case with passengers. But that does not mean that we can do away with other regulations.

Shri Debendra Nath Sarma: May I know whether negotiations for through-traffic between India and East Pakistan from Calcutta to Parbatipur, Lalmanirhat and Amingaon are going on?

Shri Alagesan: I think I answered that question. The hon. Member has in mind the route *via* Parbatipur. I have said that it is still under the consideration of the Pakistan Government.

Harnessing of Godavari River

*1356. **Shri Viswanatha Reddi:** Will the Minister of **Irrigation and Power** be pleased to state:

(a) whether it is a fact that the Government of Madras have requested the Centre to investigate the possibility of harnessing the Godavari river with a view to take the water to South India after meeting the needs of Andhra area; and

(b) if so, the action taken, if any?

The Deputy Minister of Irrigation and Power (Shri Hathi): (a) No, Sir.

(b) Does not arise.

Shri Viswanatha Reddi: May I know whether it is a fact that the Chief Ministers of Madras and Andhra Pradesh have expressed identical views both with regard to the taking up of the project at an early date, as also the urgency of the matter?

Shri Hathi: I have read reports to that effect. But to the question whether the Madras Government has requested the Centre to investigate, the reply is 'no'. That Government has not yet approached the Central Government. But I have read reports in the newspapers about these statements.

Shri Viswanatha Reddi: Am I to understand that no official request has been received either from the Andhra Pradesh Government or from the Madras Government?

Shri Hathi: We have not received any scheme from the Madras Government. I do not know about Andhra Pradesh. I will enquire.

Shri Viswanatha Reddi: May I know whether it is a fact that sometime ago there was a proposal for integration of the Godavari and Krishna river valley schemes by letting the waters of Godwari into the Krishna at the higher reaches?

Shri Hathi: That is a scheme which really was taken up during the investigation of the Nandikonda scheme, now the Nagarjunasagar scheme. The whole question of utilising the rivers in the southern zone, that is, Krishna, Godavari and Pennar, has been investigated during those stages by the Central Water and Power Commission. Those investigations are even now being carried on by the Commission.

Shri Viswanatha Reddi: May I know whether the feasibility of the scheme has been proved or not proved?

Shri Hathi: It could not be said whether it is proved or not proved, unless we get the final results of the investigations.

Shri Balakrishnan: Supposing the Madras Government makes a request, will the Centre consider it favourably because the reaction of the Andhra Pradesh Government is very friendly and favourable?

Shri Hathi: The Government of India will give all technical assistance to any State Government.

International Labour Organisation Preparatory Technical Maritime Conference

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*1358. { **Sardar Akarpuri:**
{ **Sardar Iqbal Singh:**

Will the Minister of **Transport** be pleased to state:

(a) whether India attended the meeting of the International Labour Organisation Preparatory Technical Maritime Conference held at London during September-October. 1956;

(b) if so, the number of persons who attended the Conference; and

(c) the decisions arrived at Conference?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Yes.

(b) Nine.

(c) No decisions were to be taken by this Conference as the meeting was only preparatory to the full session of the Maritime Conference to be held in 1958.

Tuticorin Express Accident

***1360. Shri Kamath:** Will the Minister of **Railways** be pleased to state:

(a) the number of persons who have applied for compensation arising out of the accident to Tuticorin Express on the 23rd November, 1956;

(b) how many have been paid compensation so far, together with the amount in each case; and

(c) the number of dead, disabled and injured railway employees in the said accident?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) 7 (upto 11-12-56).

(b) Nil.

(c)	Dead	Injured
	12	13

The number of persons disabled as a result of the accident could only be stated when claims on account of disability have been determined by the competent authority.

Shri Kamath: Have reports reached Government that all the dead in this disaster were not accounted for and, if so, what is the probable estimate of Government so far as the undiscovered dead are concerned ?

Shri Alagesan: 149 dead bodies were found and it is surmised that it is not likely that there were any more bodies caught in the debris or otherwise. 3 persons, out of the injured died subsequently in the hospital bringing the total number to 152. I do not think there is any possibility of any more dead bodies that have been left undiscovered.

Shri Kamath: Yesterday they asked for a supplementary grant of Rs. 19 lakhs on account of Mahboobnagar and the Ariyalur accidents. Of this amount, how much amount is going to be earmarked or is earmarked for compensation in respect of the Ariyalur disaster ?

Shri Alagesan: It is only on an estimate; and, these amounts have been placed in the hands of the Claims Commissioner. It is for the Claims Commissioner to determine the various claims and give his award. As soon as he gives the award, the whole amount will be known. I am not able to give the definite amount that will be determined by the Claims Commissioner.

Shri C. R. Narasimhan: Do the figures which the Deputy Minister was kind enough to give include the loss of life of women in the third class women's compartment, which was supposed to be excluded ?

Shri Alagesan. It is not correct. The figure includes all.

SHORT NOTICE QUESTIONS AND ANSWERS

Subsidence of Railway Line Between Mugma and Futka Stations

S.N.Q.No.12. + { **Shri Kajrolkar:**
Shri Raghunath Singh:

Will the **Minister of Railways** be pleased to state:

(a) whether it is a fact that the railway line between Mugma and Futka stations on the border of Bihar recently subsided,

(b) whether it is a fact that due to timely warning by certain local villagers a serious railway accident was averted on the line,

(c) if so, the details of the occurrence and the names of those who gave the warning; and

(d) what steps Government propose to take to recognise publicly the great service rendered by the persons concerned?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) to (d). A statement is placed on the Table of the Lok Sabha. [*See* Appendix V, annexure No. 45].

Shri Kajrolkar: Have Government any scheme under consideration to carry out a through investigation of all the railway lines, and particularly those passing over the mining areas ?

Shri Alagesan: This was a case which has come to our notice and it was fortunate that it has been averted by a woman and 3 other persons. At present, we have no such idea, but this can be looked into.

Shri Kajrolkar: In the statement they have said that they awarded Rs. 300/-. and Rs. 200/-. Do Government consider that the amount given is a fit reward for the service rendered ?

Shri Alagesan: Yes; the Railway thought that it was so and these awards were given.

Shrimati Tarkeshwari Sinha: May I know whether Government is in a position to clarify the reports that this subsidence of the soil is due to the level of the sub-soil water having risen up and do the Government propose to conduct any survey all over the country about the rising of sub-soil water ?

Shri Alagesan: It is not due to any sub-soil water rising up. It was due to the existence of an old mine that the subsidence occurred.

Shri Raghunath Singh: It appears from the statement that there was a hole in the track and when the track was sink-

-ing, smoke was coming out. What was the reason for the smoke? Was there any fire in the mine ?

Shri Alagesan : The statement placed by me traces that smoke to the presence of gases and considerable heat emitted from that hole. The Mining Adviser thought that it should have been the effect of an old mine existing at that site.

Mr. Speaker: Effusions of an old mine.

Shri T. B. Vittal Rao: May I know whether the organisation in which the Chief Mining Engineer or the Mining Engineer is there in the Railway Board and whose office is situated at Dhanbad does not look into these things, wherever the railway track is passing over mines ?

Shri Alagesan: He is supposed to look into all these things and he is one of the officers to look into it.

Shri T. B. Vittal Rao: May I know if this officer goes on the line for inspection or does he sit in office ?

Shri Alagesan: I take it that he goes out on the line also.

Indian Seamen

S.N.Q.No. 13. Shri Kamath : Will the **Minister of Transport** be pleased to state:

(a) whether any allegations of ill-treatment of Indian seamen employed by the Royal Fleet Auxiliary on board their ship "Wave Protector" have been received; and

(b) if so, the action taken thereon ?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) A seaman by name P.P. Verghese employed on this ship had complained that the Master, First Mate and particularly the Second Mate were rude towards the crew. Beyond this vague allegation, there is no specific complaint of any ill-treatment.

(b) Necessary enquiries into the complaint have been instituted.

Shri Kamath: What were or what are the duties assigned to Indian seamen or ratings on this ship and how many hours of work have they got to put in and and is there any discrimination against them as compared to British ratings on this ship ?

Shri Alagesan: This is purely governed by the articles by which they are signed and are employed by the various ships concerned. I am not aware of any discrimination that has been exercised against Indians.

Shri Kamath : The hon. Minister referred to a person by name. Has the Government received a representation from the United Seafarers' Federation, Bombay, in respect of this alleged maltreatment and, if so, whether any action has been taken upon that representation of the the Federation and not merely of the individual concerned?

Shri Alagesan: The United Seafarers' Federation have also written and they have almost repeated what was stated by Verghese.

Shri Kamath: Are there reasons to think that the alleged maltreatment meted out to the Indian ratings on this Wave 'Protector' is due to vicious desire on the part of the ship's officers to spite the Indian Government in regard to their policy *vis-a-vis* British aggression in Egypt?

Shri Alagesan: This complaint which we have received has been forwarded to the Commissioner at Aden for making necessary enquiries. We shall naturally await his report before coming to any conclusion.

WRITTEN ANSWERS TO QUESTIONS

Drought Conditions in Mysore

***1331. Shri N. Rachiah:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether it is a fact that conditions of distress due to failure of rains are still prevailing in Mysore District, Mysore State;

(b) the extent of central financial assistance so far given to meet the situation; and

(c) the quantity of food grains so far released for the purpose?

The Deputy Minister of Food (Shri M. V. Krishnappa): (a) The recent rains all over the district have alleviated the conditions and there is no longer any acute distress.

(b) The Centre has not granted any financial assistance.

(c) About 30 thousand maunds of rice at the specially reduced price of Rs. 11/- per maund for issue to the workers employed on relief works and 9,500 maunds for sale through "Fair Price" shops at Rs. 16/8/- per maund in Mysore District.

Flood Damage to Canals

***1332. Shri Krishnacharya Joshi:** Will the Minister of **Irrigation and Power** be pleased to state:

(a) whether the World Bank has considered the report submitted by the team of Bank Engineers enquiring into the extensive damages caused to canals in India and Pakistan on account of unprecedented floods in October, 1955; and

(b) if so, what are their recommendations?

The Deputy Minister of Irrigation and Power (Shri Hathi): (a) and (b). It is not in public interest to disclose the information.

Ahmedabad Railway Station

***1333. Shri Dabhi:** Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that looking to the growing needs of Ahmedabad the question of remodelling Ahmedabad Yard is under the active consideration of Government; and

(b) if so, the details thereof?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Yes.

(b) The proposals envisages shifting of the M.G. passenger platforms and yard to the east of the existing B.G. station and provision of 7 passenger platform faces, a small M.G. station building, M.G. parcel office with platform and subway for passengers and parcels from M.G. to B.G. at an estimated cost of Rs. 1·5 crores.

Imported Coal at Madras Port

***1335. Shri Nambiar:** Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that the bulk of the imported coal in the Madras Port is for the Railways;

(b) whether the fact that the Chief Operating Superintendent. Southern Railway has accepted the lowest tender for labour contract to carry coal in the Madras Harbour is the reason for the low wages paid by the contractors to the workers in the harbour;

(c) what are the rates of wages of labour agreed upon by the C.O.P.S. with the Coal Contractor in the harbour;

(d) what rates of wages are given by the above contractor to the labour in the harbour;

(e) whether it is a fact that there is much discontentment due to the very low wages; and

(f) if so, the steps taken to improve the situation?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Yes.

(b) The C.O.P.S., accepted the lowest tender according to the standard procedure. It is not known whether the acceptance of the lowest tender was the cause of low wages to workers in the Harbour.

(c) The C.O.P.S., only accepts the contract rates for handling sea-borne coal. The contractor has to pay his labour day-to-day wages at the prevailing local rates or at such higher rates as may be agreed upon between the employer and the labour.

(d) A statement showing the rates at which the contractor receives payment from the Railway for handling coal at Madras Port and the rates at which he pays the coal labour is placed on the Table of the House. [*See* Appendix V, annexure No. 46].

(e) and (f). The position is being ascertained.

Import of Heavy Machinery

***1336. Shri D. C. Sharma:** Will the Minister of **Planning** be pleased to state the amount of foreign exchange earmarked by the Planning Commission under the Second Five Year Plan for importing heavy machinery?

The Deputy Minister of Planning (Shri S. N. Mishra): In the Report on the Second Five Year Plan, it is stated that machinery and vehicles of about Rs. 1500 crores would be imported during the Plan period. Of this, the bulk will consist of heavy machinery and transport equipment (including vehicles).

Training of Indian Personnel in Russia

***1346. Shri Shivananjappa:** Will the Minister of **Food and Agriculture** be pleased to state whether it is a fact that the Central Co-operative Consumers' Organization of Russia has offered to provide facilities for training Indian personnel?

The Deputy Minister of Food (Shri M. V. Krishnappa): The President of the Central Cooperative Consumers' Organisation of Russia had, in the course of a talk with the Indian Cooperative Delegation to Russia, expressed his willingness to consider the training of Indians in the Cooperative Training Institutions in the U.S.S.R. No formal offer has yet been received.

Nagarjunasagar Project

***1350. Shri C. R. Chowdary:** Will the Minister of **Irrigation and Power** be pleased to state:

(a) whether any alteration in length of the right-side canal of Nagarjunasagar Project has been made;

(b) if so, at what estimated cost; and

(c) what portion or portions of canals on either side of the project will be taken up and at what cost?

The Deputy Minister of Irrigation and Power (Shri Hathi): (a) Some change in the length of the canal is likely to be made as a result of detailed investigations to take it on a higher contour.

(b) This will be known when the proposal is finalised.

(c) The information is being collected and will be laid on the Table of the House in due course.

Regional Survey of Timber Trends

*1351. **Shri M. Islamuddin:** Will the Minister of **Food and Agriculture** be pleased to refer to the reply given to Starred Question No. 821 on the 7th August, 1956 regarding regional survey of timber trends and prospect by the Asia-Pacific Forestry Commission of Food and Agriculture Organisation and state:

(a) whether the required survey has since been launched by Government; and

(b) if not, the reasons therefor?

The Deputy Minister of Food (Shri M. V. Krishnappa): (a) Yes Sir. For the collection of data on production, marketing and end-uses of timber, relevant proformas received from the FAO have been sent to the Forest and Industries Departments of States. It is expected that the report will be completed in the latter part of 1957.

(b) Does not arise.

डूंगरगढ़ के स्टेशन मास्टर की कथित पिटाई

*१३५४. श्री प० ला० बारूपाल : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि

(क) क्या यह सच है कि रेलवे पुलिस के एक सब-इन्स्पेक्टर ने डूंगरगढ़ के स्टेशन मास्टर को बुलवा कर उससे कुछ बात निकलवाने के लिये उसकी निर्दयतापूर्वक पिटाई की थी ;

(ख) क्या उक्त सब-इन्स्पेक्टर ने स्टेशन मास्टर का डाक्टरी मुआयना कराने से इन्कार कर दिया था जिसके फलस्वरूप जिलाधीश और डिवीजनल सुपरिनटेण्डेण्ट को इस मामले में हस्तक्षेप करना पड़ा ;

(ग) क्या यह सच है कि अब तक उस सब-इन्सपेक्टर के विरुद्ध कोई कार्यवाही नहीं की गई है ; और

(घ) क्या यह भी सच है कि उस दिन अर्थात् २७ मई, १९५६ को बीकानेर से मेड़ता जाने वाली सवारी गाड़ी संख्या एल० जे० एम० बी० इस घटना के कारण दो घण्टे लेट हो गई थी ?

रेलवे तथा परिवहन उपमंत्री (श्री अलगेशन) : (क) जी हां ।

(ख) जी हां ।

(ग) सब-इन्सपेक्टर के खिलाफ़ अभी तक कोई कार्यवाही नहीं की गई है क्योंकि स्टेशन मास्टर ने इस मामले पर मुकदमा चलाया है और मामला इस वक्त अदालत में है ।

(घ) जी हां ।

दिल्ली परिवहन सेवा

*१३५७. **श्री नवल प्रभाकर :** क्या परिवहन मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या नये मार्गों पर बस चलाने के निमित्त दिल्ली परिवहन सेवा द्वारा जन प्रतिनिधियों से सुझाव मांगे जाते हैं ; और

(ख) यदि नहीं, तो इसके क्या कारण हैं ?

रेलवे तथा परिवहन उपमंत्री (श्री अलगेशन) : (क) जी हां ।

(ख) सवाल ही पैदा नहीं होता ।

Vamsadhara River Project

1359. **Dr. Rama Rao:** Will the Minister of **Irrigation and Power** be pleased to refer to the reply given to Starred Question No.602 on the 1st August, 1956 and state:

(a) whether the Central Government have since approved the Vamsdahars River Project;

(b) whether it is a fact that an officer of the Central Government in the Central Water and Power Commission inspected the area recently; and

(c) if so, what are his findings and recommendations?

The Deputy Minister of Irrigation and Power (Shri Hathi): (a) Vamsadhara Project has already been included in the Second Five Year Plan.

(b) Yes, Sir.

(c) Alternative sites upstream of the proposed Dam site were inspected by him and the most suitable alternative seems to be the construction of a storage dam about 3½ miles upstream of Gudari village and a barrage near Gotta. Further investigations are necessary.

पर्यटन

*१३६१ **श्री भक्त दर्शन**: क्या परिवहन मंत्री ३० जुलाई, १९५६ के तारांकित प्रश्न संख्या ४९६ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) हिमालय में बद्रीनाथ और केदारनाथ के यात्रा मार्गों पर विश्राम गृहों के सुधार के लिये जो दस लाख रुपये की स्वीकृति दी गई थी, क्या उस धन के उपयोग के लिये विस्तृत योजना तैयार की जा चुकी है ;

(ख) यदि हां, तो उन विश्राम-गृहों क स्थान, अनुमानित व्यय, निर्माण-एजेन्सी और भावी प्रबन्ध आदि के बारे में एक विवरण सभा-पटल पर रखा जायेगा ।

(ग) यदि नहीं, तो इसमें देरी होने के क्या कारण हैं ; और

(घ) इस सम्बन्ध में कब तक अन्तिम निर्माण हो जाने की आशा है ।

रेलवे तथा परिवहन उपमंत्री (श्री अलगेशन): एक विवरण सभा की मेज पर रख दिया गया है । [**देखिये परिशिष्ट ५, अनुबन्ध संख्या ४७**]

Ban on Cow Slaughter in Manipur

*1362. **Shri Rishang Keishing**: Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether it is a fact that cow slaughter has been banned in Manipur State;

(b) if so, whether it is banned throughout the State of Manipur;

(c) whether in this connection any consultation was made with the people of the hill areas or their organisation:

(d) if so, the persons and organisations consulted; and

(e) if not, why not?

The Minister of Agriculture (Dr. P. S. Deshmukh): (a) and (b). Cow slaughter is banned in Manipur Valley only under the Darbar resolutions prior to integration. It is not banned in hill areas.

(c) to (e). Do not arise.

Railway Selection Boards

*1363. **Pandit M. B. Bhargava**: Will the Minister of **Railways** be pleased to state:

(a) the existing orders of the Railway Board in regard to the constitution of Selection Boards for examining and interviewing Railway employees for posts in Selection grades;

(b) whether there is any time limit within which the proceedings of a Selection Board should be finalised and the pannel formed and declared;

(c) if so, what is the time limit;

(d) the number of Selection Boards on the Western Railway the results of which have not been finalised within the specified time limit, if any;

(e) whether it is a fact that of late on the Western Railway the panels are not declared; and

(f) if so, the number of Selection Boards in which the panels have not been declared, and whether it is not in contravention of the orders of the Railway Board?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Selection Board should consist of not less than 3 officers. For posts filled on all railway basis the Selection Boards should consists of officers of not lower than junior Administrative rank. For other posts they should consist of officers not below the Senior Scale. None of the membes should, if possible be directly subordinater to any other.

(b) and (c). A statement is placed on the Table of Lok Sabha. [*See* Appendix V, annexure No. 48.]

(d) 8.

(e) No.

(f) Does not arise.

Diva-Dasgaon Railway Line

*1383. **Shri Kajrolkar:** Will the Minister of **Railways** be pleased to refer to his reply to Starred Question No. 2070 on the 22nd September, 1955, and state:

(a) whether any decision has been arrived at in regard to the Diva-Dasgaon line for construction during the Second Five Year Plan period; and

(b) if so, the nature of the decision?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Not yet.

(b) Does not arise.

सतना-रीवा-गोविन्दगढ़ रलव लाइन

*१३६५. श्री रनदमन सिंह :
श्री आ० चं० जोशी :

क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या भूतपूर्व विन्ध्य प्रदेश में, सतना-रीवां-गोविन्दगढ़ के बीच नई रेलवे लाइन के निर्माण की प्रस्थापना लागू किये जाने के लिये रेलवे बोर्ड द्वारा स्वीकृति दी जा चुकी है ;

(ख) यदि हां, तो क्या इस लाइन के बारे में सवक्षण कार्य पूरा किया जा चुका है ;

(ग) क्या लाइन के निर्माण का कार्य द्वितीय पंचवर्षीय योजना काल में प्रारम्भ किया जायेगा ; और

(घ) निर्माण-कार्य कब तक शुरू होने की आशा है और इसे कब तक पूरा कर दिया जायेगा ?

रेलवे तथा परिवहन उपमंत्री (श्री अलगेशन): (क) इस सुझाव पर अभी छान-बीन हो रही है ।

(ख) अभी नहीं ।

(ग) और (घ). दूसरी पंच वर्षीय योजना में नई रेलवे लाइनों के लिये बहुत थोड़ी रकम रखी गई है । इसलिये, इस लाइन के बनने की संभावना कम है ।

Suspension of Railwaymen at Kharagpur

*1366. **Shrimati Renu Chakravartty:** Will the Minister of **Railways** be pleased to refer to the reply given to Starred Question No. 539 on the 28th November, 1956, and state:

(a) whether it is a fact that the Kharagpur railway employees were suspended from duty only in consequence of arrest by the police;

(b) whether any other grounds were shown in the suspension notices served on the employees;

(c) if so, what are they; and

(d) whether it is not the normal practice to take back suspended workers after they have been honourably acquitted by the court of those charges which are also the grounds of suspension?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) 258 workers were suspended from duty in consequence of arrest by the police.

(b) and (c). No other grounds were shown in the suspension orders issued to the 258 arrested persons.

(d) Yes, but the cases of 233 persons did not go for trial and the remaining 25 have been committed for trial in which no judgment has been given as yet.

Passenger Amenities

*1367. **Shri Dabhi:** Will the Minister of **Railways** be pleased to state:

(a) whether the minimum passenger amenities laid down by the Railway Board to be provided at all stations irrespective of their status will be provided at the end of the Second Five Year Plan; and

(b) whether any programme for this purpose has been or is to be chalked out for this purpose?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) It is not possible at this stage to indicate whether these amenities would be provided at all the stations by the end of the Second Five Year Plan period.

(b) Yearly programme for such works is drawn up in consultation with the Passenger Amenities Committee within the funds available.

Purchase of Ships

*1368. **Shri Gidwani:**
Shri B. D. Pande:

Will the Minister of **Transport** be pleased to state:

(a) whether it is a fact that the 'Jal Jawahar' and the 'The Jal Azad' were purchased by Government from the Scindias and that these two ships failed on the London route and were withdrawn; and

(b) for how much amount these two ships were purchased?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) and (b). The s.s. 'Jal Jawahar' (renamed the s.s. 'State of Madras') and the s.s. 'Jal Azad' (renamed the s.s. 'State of Bombay') were purchased by the Eastern Shipping Corporation Ltd., from the Scindia Company in 1954 for a price of Rs. 95,52,699/- and Rs. 91,72,845/- respectively. The vessels had been withdrawn from the India/U.K./Continent route *not* on account of their failure or break down but due to the inability of Scindias to maintain them in this trade owing to losses incurred by them.

Production of Coaches and Wagons

*1369. **Shri Jhulan Sinha:** Will the Minister of **Railways** be pleased to state whether the attention of Government has been drawn to the evidence of the President of the All India Manufacturers Association Bombay before the Estimates Committee regarding association of and encouragement to the private sector in the production of coaches and wagons to relieve the scarcity and to attain self-sufficiency in respect thereof?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Yes, the Private Sector has been associated with the manufacture of wagons and coaches.

Tax on Bamboos in Tripura

*1370. **Shri Dasaratha Deb:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) the tax for each 100 bamboos sold at Dhara Nagar, Tripura;

(b) whether the tax is too high as compared with such taxes in other parts of India; and

(c) whether Government allows the tribal Jhumias landless peasants and refugees to collect bamboos free of tax throughout the year for their personal use?

The Deputy Minister of Food (Shri M. V. Krishnappa): (a) The royalty rate prevailing in Tripura State including Dharamanagar, Sub-Division, is Rs. 1/2/9 per hundred bamboos. (There is no place named Dhara Nagar).

(b) The rate of royalty in Tripura is lower than the one prevailing in the adjoining State of Assam. The information regarding the rates prevalent in other States is not readily available.

(c) Bonafide tribal jhumias may extract all minor forest produce including bamboos free of royalty for their own domestic purpose as well as for sale throughout the whole year. Landless peasants and refugees who are bonafide residents of Tripura are permitted to collect upto 500 bamboos free of royalty per family for their own domestic use during the period from January to March each year.

'Mahua' Cake Manure

*1371. **Shri Bibhuti Mishra:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether Government have investigated the manurial value of '*Mahua*' Cake; and

(b) if so, to what extent it is useful as compared to linseed and mustard seed cakes?

The Deputy Minister of Food (Shri M. V. Krishnappa): (a) Yes.

(b) It is much less effective than linseed and mustard cakes with crops like wheat, Cotton, Sugarcane, Potato and chillies etc. It does not compare well with such cakes if applied directly to the soil. If, however, it is composted with soil and charcoal, the composted material compares well with those cakes.

"Fare Racket" in D.T.S.

*1372. **Pandit D. N. Tiwari:** Will the Minister of **Transport** be pleased to state:

(a) whether it is a fact that a "Fare Racket" in D.T.S. Buses was unearthed in September last;

(b) whether any proceedings were drawn up against such employees who were involved in this racket; and

(c) whether D.T.S. Workers' Union co-operated with the authorities to check this racket?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) No.

(b) and (c). Do not arise.

Nagarjunasagar Project

*1373. **Shri C. R. Chowdary:** Will the Minister of **Irrigation and Power** be pleased to state:

(a) whether the Block Survey (level recording) in the Ayacut-area of the Nagarjunasagar Project has been completed;

(b) if not, by what time it is expected to be completed; and

(c) whether land acquisition and allied matters have been taken up?

The Deputy Minister of Irrigation anf Power (Shri Hathi): (a). No, Sir. The Block survey (level recroding) is, in progress.

(b) The work on the right side canal is expected to be completed by June, 1957, while the work in the left Bank Canal is programmed to be completed in 1959-60.

(c) Yes, Sir.

Food and Agriculture [Organisation

*1374. **Shri Sangaana:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether the Government of India expect any assistance from the Food and Agriculture Organisation in order to achieve agricultural targets during the Second Five Year Plan; and

(b) if so, to what extent and in what form?

The Minister of Agriculture (Dr. P. S. Deshmukh): (a) F. A. O. extends technical assistance for development project only. It is not specifically directed towards agricultural targets as such, during the 2nd Five Year Plan; but this assistance ultimately does assist in that direction.

(b) Assistance from F. A. O. is available in the following forms:—

(i) Advice and assistance through the assignment of experts;

(ii) training through Training Centres, Fellowships and in service training given by Experts;

(iii) equipment for the use of experts as the "tools of their trade"; and

(iv) dissemination of scientific and research knowledge.

Passenger Amenities

*1375. **Shri M. Islamuddin:** Will the Minister of **Railways** be pleased to refer to the reply given to Unstarred Question No. 205 on the 10th March, 1955 regarding foot-board travelling in the Katihar Section and state:

(a) whether sufficient rolling Stock has been provided on that Section in order to avoid travelling on foot-board for want of accommodation in the train specially during the *Mela* Season; and

(b) whether Government are aware of the foot-board and roof-travelling in that Section at the recent Garbenali *Mela*?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Rolling Stock is allotted for use in the Katihar area consistent with the over-all requirements of other sections of the North Eastern Railway.

During the *melas* the maximum additional stock, as could be found from available resources was also provided in this area.

Efforts will be made to meet the additional requirements of the area, as and when new stock becomes available.

(b) No passengers are reported to have travelled on roofs of train during Garbenali-*Mela*, but some cases of foot-board travelling were reported.

Delhi Road Transport Authority

*1376. **Shri Nambiar** : Will the Minister of **Transport** be pleased to state:

(a) whether it is a fact that the Delhi State Government as instructed by the Government of India have referred some Industrial disputes relating to workers of Delhi Road Transport Authority to Additional Industrial Tribunal, Delhi;

(b) whether it is also a fact that the Secretary to the Government of India, Ministry of Transport has agreed to the request of the representatives of the Delhi Transport Service Workers' Union on the 3rd September 1956, to appoint as arbitrator in connection with some disputes; and

(c) if so, whether any arbitartor has since been appointed?

The Deputy Minister of Railways and Transport (Shri Alagesan) : (a) Yes.

(b) Yes.

(c) No.

रकार्ड रखना

१३७७. **श्री सू० चं० सोधिया** : क्या सामुदायिक विकास मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या केन्द्रीय सरकार न पिछली मूल्यांकन रिपोर्ट के पृष्ठ २६ पर उल्लिखित रिकार्ड्स की त्रुटियों को दूर करन के बारे में दिये गये सुझावों के सम्बन्ध में कोई आदेश निकाले हैं ;

(ख) यदि हां, तो क्या उनकी एक प्रति सभा-पटल पर रखी जायेगी ; और

(ग) क्या यह सच है कि विकास अफसर अपने अधीन काम करने वाले कर्मचारियों के रोजनामचे की मौके पर ही जांच नहीं करते हैं ?

सामुदायिक विकास मंत्री (श्री सू० कु० डे) : (क) जी हां ।

(ख) राज्य सरकारों को जो पत्र भेजा गया है उसकी प्रति सभा-पटल पर रखी गई है । **[देखिये परिशिष्ट ५, अनुबन्ध संख्या ४६]**

(ग) कर्मचारियों की डायरियों की जांच विकास अधिकारी अपने साधारण उत्तरदायित्व के अन्तर्गत ही किया करते हैं ।

All India Institute of Medical Sciences

*1378. **Dr. Rama Rao** : Will the Minister of **Health** be pleased to state:

(a) whether the professors and other members of Staff of the All India Institute of Medical Sciences have been recruited through the Union Public Service Commission:

(b) if not, why not;

(c) how many have so far been appointed and at what scales of pay; and

(d) when the Radiology Department is likely to be set up ?

The Minister of Health (Rakjkumari Amrit Kaur) : (a) No.

(b) The All. India Institute of Medical Sciences is an autonomous body. Recruitment to autonomous bodies need not be made through the Union Public Service Commission.

(c) Three Professors, one Associate Professor and two Assistant Professors. Their scales of pay are:

Professors—Rs. 1300-60-1600-100-1800 plus Rs. 400/- as compensatory Allowance.

Associate
Professors—Rs. 800-40-1000-1050-1050-1100-1100-1150-50-1300 plus Rs. 300/- as Compensartory Allowance;

Assistant
Professors—Rs. 500-25-650-30-800 plus Rs. 300/- as Compensatory Allowance.

Besides these, Demonstrators, Technicians and Laboratory staff have also been appointed.

(d) Plans for the building of the Radiology Department have been formulated and the list of equipment to be ordered is being scrutinized. As soon as the equipment is received and the building completed, the Department will start functioning.

Rail Transport for Oil in Assam

*1379. **Shri Debendra Nath Sarma** : Will the Minister of **Railways** be pleased to state:

(a) whether any scheme has been formulated by the Central Government with a view to develop Rail Transport for transporting the new-found oil of Assam; and

(b) the amount proposed to be spent by Government for the implementation of the scheme ?

The Deputy Minister of Railways and Transport (Shri Alagesan) : (a) The location of the oil refinery to refine the newly found oil in Assam has not yet been settled and, therefore, the scheme for developing rail transport for transporting the oil has not yet been formulated.

(b) Does not arise.

Regional Centre on Agricultural Financing and Credit for Asia and Far East

*1380. **Sardar Iqbal Singh** :
Sardar Akarpuri :

Will the Minister of **Food and Agriculture** be pleased to state the work done by the Regional Centre on Agricultural Financing and Credit for Asia and Far East ?

The Deputy Minister of Food (Shri M. V. Krishnappa) : The Regional Centre on Agricultural Financing and Credit for Asia and Far East was held by F.A.O. in cooperation with

ECAFE at Lahore (Pakistan) from 1st to 13th October, 1956, where the participants discussed about development of finance in an under-developed rural economy, savings and capital formation in Agriculture, the use of unemployed and seasonally under-employed labour, short, medium and long-term agricultural credit system, inter-relation between agricultural credit and marketing, financial aspects of land settlement and land reform, survey of rural credit and training of personnel.

2. In addition to discussions, tours of observation were also arranged by the Government of Pakistan during which important development projects such as the Thal Development Project and various Co-operative Institutions were visited.

3. The report of the work done at the Centre is still awaited from the F.A.O.

Smuggling of Wheat to Goa and Pakistan

*1381. **Shri Kamath:** Will the Minister of **Food and Agriculture** be pleased to refer to the reply given to Starred Question No. 200 on the 20th November, 1956 and supplementaries raised thereon and state :

(a) the number of merchants who have been blacklisted for exporting foodgrains from Bombay ; and

(b) what further steps Government proposed to taken in the matter ?

The Deputy Minister of Food (Shri M. V. Krishnappa) : (a) and (b). Supply of foodgrains to some was stopped and later the system of distribution was changed. Issues were made directly to retailers instead of wholesale dealers. As previously stated legal action could not be taken against any of the merchants in view of the difficulty in producing concrete evidence for prosecution in a court of law.

रुड़की से बद्रीनाथ तक सड़क के लिये अनुदान

*१३८२. **श्री भक्त दर्शन** : क्या परिवहन मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि उत्तर प्रदेश में रुड़की से बद्रीनाथ तक की सड़क का सुधार व विकास करने के लिये उत्तर प्रदेश सरकार को विशेष (वित्तीय) सहायता देने का निश्चय कुछ समय पहले किया गया था ;

(ख) यदि हां, तो उस सड़क के प्रत्येक अंश के लिय कितने अनुदान की स्वीकृति दी गई थी ;

(ग) उन अंशों के सुधार व विकास में अब तक कितनी प्रगति हुई है तथा उन के लिये भारत सरकार कितन-कितन अनुदान दे चुकी है ; और

(घ) शेष कार्यों को शीघ्र पूरा करने के बारे में कौन सी विशेष कार्यवाही की जा रही है ?

रेलवे तथा परिवहन उपमंत्री (श्री अलगेशन) : (क) जी हां ।

(ख) और (ग). एक विवरण सभा की मेज पर रख दिया गया है । [**देखिये परिशिष्ट ५, अनुबन्ध संख्या ५०**]

(घ) काम को करने की जुम्मेवारी उत्तर प्रदेश सरकार की है और उस सरकार को यह मालूम है कि यह काम बहुत जल्दी करने का है ।

Ships

*1383. **Shri Matthen :** Will the Minister of **Transport** be pleased to state :

(a) whehter he made the following observation at the meeting of the Consultative Committee of shipowners on the 28th November, 1955 ;

> "I would very much wish that we should plan for the purchase of 25-30 ships more within a short period to fill the existing gap in the coastal trade. The Transport Ministry is also exploring the possibility of getting a number of new, or even secondhand, ships from abroad".

(b) if so, how he has arrived at "the existing gap in the coastal shipping", which would necessitate the employment of 25-30 ships ;

(c) the tonnage in dead-weight tons which these 25-30 ships would carry during the course of a year ; and

(d) the steps Government have taken for exploring the possibility of getting a number of new, or even secondhand, ships from abroad and how many ships and of what G.R.T. have been acquired to fill this existing gap ?

The Deputy Minister of Railways and Transport (Shri Alagesan) : (a) Yes.

(b) A statement is laid on the Table of Lok Sabha. [*See* Appendix V, annexure No. 51.]

(c) It is not possible to estimate accurately the tonnage in D. W. T. that will be carried by the 25-30 ships during the course of a year ; but on a rough basis they may carry 6 to 7 lakhs tons of cargo.

(d) The Government have continued their scheme for grant of land assistance and for release of necessary foreign exchange to the Indian Shipping Companies for aquisition of ships. As a result 7 ships (including a tanker) totalling approximately 30,000 G.R.T. have been acquired both in the Private and Public Sectors so far and orders for construction of two coastal ships of 1700 G.R.T. each have been placed abroad.

Refrigerator Vans

*1384. **Shri Kajrolkar :** Will the Minister of **Railways** be pleased to state :

(a) whether Government have any scheme under consideration to attach refrigerator vans to trains on the Western, Central and Northern Railways between Bombay and Pathankot and Bombay and Amritsar for the transport of perishable articles over long distances; and

(b) if the reply to part (a) be in the affirmative, when the scheme will come into effect ?

The Deputy Minister of Railways and Transport (Shri Alagesan) :
(a) No.

(b) Does not arise.

राज-यक्ष्मा अस्पताल (चिकित्सालय)

*१३८५. **श्री भक्त दर्शन :** क्या स्वास्थ्य मंत्री ३ सितम्बर, १९५६ के तारांकित प्रश्न संख्या १७२१ के उत्तर के सम्बन्ध यह बताने की कृपा करेंगी कि मध्यम तथा निम्न वर्गों के व्यक्तियों को सस्ते इलाज की सुविधा प्रदान करने के बारे में राज-यक्ष्मा अस्पताल (चिकित्सालय) स्थापित करने की जिस योजना को स्वीकृत किया जा चुका है, उसे कार्यान्वित करने की दिशा में इस बीच क्या प्रगति हुई है ?

स्वास्थ्य मंत्री (राजकुमारी अमृत कौर): चालू वर्ष में ३५ और १९५७–५८ में लगभग ६० क्लिनिकों की स्थापना करने या उन्हें upgrade करने का निर्णय किया गया है। इन क्लिनिकों के लिये एक्स-रे व प्रयोगशाला के दूसरे सामान प्राप्त करने का प्रबन्ध हो चुका है।

Timber Survey

*1386. **Shri Jhulan Sinha :** Will the Minister of **Food and Agriculture** be pleased to state whether the timber resources of the country from the existing forests have been thoroughly surveyed and the position ascertained regarding the entire wooden sleeper requirements of the Railways being met by the indigenous production ?

The Minister of Agriculture (Dr. P. S. Deshmukh) : A statement is placed on the Table of Lok Sabha. [*See* Appendix V, annexure No. 52.]

International Congress on Traffic

*1387. **Shri Bibhuti Mishra :** Will the Minister of **Transport** be pleased to state :

(a) whether it is a fact that International Congress on Traffic was held in Stresa in the 1st week of October 1956 ; and

(b) if so, the subjects discussed at the Congress ?

The Deputy Minister of Railways and Transport (Shri Alagesan) : (a) The International Study Week on Traffic Engineering was held at Stresa in the first week of October, 1956.

(b) A statement is laid on the Table of Lok Sabha.

[*See* Appendix, V, annexure No. 53].

Accident to Railway Steamer

*1388. **Pandit D. N. Tiwary :** Will the Minister of **Railways** be pleased to state :

(a) whether it is a fact that a Railway steamer carrying loaded goods wagons sank at Mokameh Ghat N.E.R. in the Second week of November, 1956;

(b) if so, the causes of the accident; and

(c) the amount of loss sustained ?

The Deputy Minister of Railways and Transport (Shri Alagesan) :
(a) No.

(b) and (c). Do not arise.

Bridges in Purnea

***1389. Shri M. Islamuddin:** Will the Minister of **Transport** be pleased to refer to the replies given to Starred Question No. 1584 on the 20th April, 1956 and Starred Question No. 2435 on the 30th September, 1955 and state the steps taken by Government since then for the construction of the following bridges in the district of Purnea;

(i) bridge over Mahanada at Sonapurhat;

(ii) bridge over Mahanada at Dingraghat at mile 49 of Ganga-Darjeeling Road; and

(iii) bridge over Higla gap at 47 mile of Ganga-Darjeeling Road?

The Deputy Minister of Railways and Transport (Shri Alagesan): A statement is laid on the Table of Lok Sabha. [*See* Appendix V, annexure No. 54]

Tourist Traffic

***1390. {Sardar Iqbal Singh:
Sardar Akarpuri:**

Will the Minister of **Transport** be pleased to state:

(a) whether any steps have been taken to increase the tourist traffic from England; and

(b) if so, the nature of the steps and how far these have been successful?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Yes.

(b) A statement is laid on the Table of the House. [*See* Appendix V, annexure No. 55]

Kharagpur Accident

***1391. Shri Kamath:** Will the Minister of **Railways** be pleased to refer to the reply given to Starred Question No. 217 on the 20th November, 1956 and state:

(a) whether the final report of the Government Inspector on the Kharagpur Accident has been received; and

(b) if so, its findings and conclusions?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Yes, his Report has since been finalised.

(b) According to the Government Inspector the accident to Workmen's train was brought about by forcibly removing the engine crew from the locomotive and setting it in motion by fully opening the steam regulator by some person or persons unidentified.

सामुदायिक विकास और राष्ट्रीय विस्तार सेवा खंड

***१३९२. श्री खू० चं० सोधिया** : क्या **योजना** मंत्री यह बताने की कृपा करेंगे कि :

(क) अब तक कितने और किन-किन सामुदायिक विकास क्षेत्रों और राष्ट्रीय विस्तार सेवा खण्डों की प्रगति का मूल्यांकन किया जा चुका है और वे किन-किन राज्यों में स्थित हैं ;

(ख) मूल्यांकन के लिये इन क्षेत्रों का चुनाव करते समय किन-किन बातों पर ध्यान दिया जाता है ; और

(ग) मूल्यांकन करने का काम किन व्यक्तियों को सौंपा जाता है ?

योजना उपमंत्री (श्री श्या० नं० मिश्र) : (क) मूल्यांकन के लिये बीस क्षेत्र चुने गये थे । इस सम्बन्ध में विस्तार के साथ एक ब्योरा सभा की मेज पर रख दिया गया है । [**देखिये परिशिष्ट ५, अनुबन्ध संख्या ५६**]

(ख) मूल्यांकन के लिये चुने गये क्षेत्रों को देश के विभिन्न भागों की खेती और देहात के हालात के सम्बन्ध में साधारण तौर पर प्रतिनिधि स्वरूप माना गया था ।

(ग) आर्थिक और सामाजिक समस्याओं की छानबीन में अनुभवी पदाधिकारियों को मूल्यांकन का कार्य सौंपा गया है ।

Conference of Railway Officers

1100. Shri Ram Krishan: Will the Minister of **Railways** be pleased to state:

(a) the important subjects considered at the four day Conference of Railway Officers at Delhi during the last week of August, 1956, to chalk out plan to cope with extra Rail-traffic;

(b) the important decisions taken; and

(c) the action taken so far to implement these decisions?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) It is presumed that the Member is referring to the meeting with the Operating Heads of Railways held in the Railway Board's Office in August, 1956. At this meeting the different aspects of operating efficiency on the Indian Railways was considered in detail, in the light of results achieved and further steps necessary to improve the transport capacity with a view to bridging the gap between demand and availability of transport, were formulated.

(b) and (c). (i) Loading targets for the ensuing busy season were fixed at 20 per cent over the loading during the previous season.

(ii) Operating performance was reviewed and revised targets were fixed for wagon miles per wagon day, engine miles per engine day and other important operating statistics.

(iii) Quotas for movement *via* important junctions and transhipment points were increased to meet the anticipated increase in traffic.

(iv) Detention to wagons in Marshalling Yards to be reduced drastically.

(v) Reduction in the free time of wagons from 6 hours to 5 hours.

(vi) Special drives to be initiated for improving punctuality of Mail, Express and passenger trains.

Every endeavour is being made to implement the various targets fixed for improving operating efficiency.

Kandla Port

1101. Shri Ram Krishan: Will the Minister of **Transport** be pleased to state:

(a) the progress made so far in the construction and development of Kandla port; and

(b) the amount spent on the project far?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) A statement is laid on the Table of the House [See Appendix V, annexure No. 57].

(b) The total estimated cost of the project is Rs. 14·15 crores. Out of this an amount of Rs. 10·07 crores has been spent so far.

Octroi Post at Dalmia Dadri

1102. Shri Ram Krishan: Will the Minister of **Railways** be pleased to state:

(a) whether any application has been received from the municipal Committee Charkhi Dadri for permission to establish one octroi post on the Railway premises and requesting that no goods should be delivered without payment of octroi; and

(b) if so, the action taken thereon?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Yes.

(b) The permission as asked for has not been given pending the general examination of the question; meanwhile, permission has been given to authorised staff of the municipal committee to extract whatever information they require from station records so long as this can be done without inconvenience to railway work and without removing the records from the station premises.

Labour Unions

1103. Thakur Jugal Kishore Sinha: Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that privileges of the recognised labour unions have been curtailed or are being denied in connection with the holding of meetings in the railway premises, and distribution of leaflets and exhibition of notices issued by the Unions in the railway premises;

(b) whether any protest has been lodged by the labour unions against such curtailment of their privileges; and

(c) if so, whether Government is going to restore the privilleges so far enjoyed by them?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Certain facilities are granted to recognised unions by Government. None of these have either been curtailed or denied.

(b) In view of answer to (a) above' there has been no occasion for recognised unions to protest. Some unrecognised unions have, however, protested against the application of existing rules under which facilities are available only to recognised trade unions.

(c) Does not arise.

Large Sized Co-operative Societies

1104. **Thakur Jugal Kishore Sinha :** Will the Minister of **Food and Agriculture** be pleased to state :

(a) which of the States have so far adopted the Model bye-laws of the large-sized co-operative societies prepared by the Reserve Bank of India ; and

(b) how the small co-operative societies working under the area of operation of such large sized co-operative societies will function in relation to such bigger co-operative societies ?

The Deputy Minister of Food (Shri M. V. Krishnappa) (a) According to information, available, Bhopal region of Madhya Pradesh, Kerala, Madras, Mysore, Uttar Pradesh, and West Bengal have adopted the bye-laws prepared by the Reserve Bank of India.

(b) Ordinarily small co-operative societies do not work in the area covered by large sized co-operative societies.

Land Tax

1105. **Shri C. R. Iyyunni :** Will the Minister of **Food and Agriculture** be pleased to state :

(a) how many cases of penal assessment have been made in the Trichur Taluq and the Talapilli Taluq of Kerala State, for encroachments made 5 to 25 years ago ;

(b) the rates imposed per acre of dry and wet land ;

(c) whether it is a fact that the rates imposed in Cochin area are many times more than those in Travancore area ;

(d) whether there is any provision that persons who are in possession of lands as encroachment below 3 acres in Travancore area can be given those if they are indigent ; and

(e) how many such cases will then be in the cases referred to in part (a) ?

The Minister of Agriculture (Dr. P. S. Deshmukh) : (a) to (e). The information is being collected by the State Government and will be laid on the Table of the Sabha in due course.

Fruit Production in Kerala State

1106. **Shri C. R. Iyyunni :** Will the Minister of **Food and Agriculture** be pleased to state :

(a) whether a survey has been conducted to ascertain the quantity of bananas, pine-apples and jack-fruits produced in the State of Kerala ; and

(b) if so, what is the quantity of each of these ?

The Deputy Minister of Food (Shri M. V. Krishnappa) : (a) Kerala State as a whole has not been surveyed. However a survey was conducted of the area comprising of erstwhile State of Travancore-Cochin.

		Tons
(b)	Bananas	3,20,000
	Pine-apples	18,600
	Jack-fruits	2,000

Colonisation Scheme

1107. { **Shri C. R. Iyyunni:**
Shri Matthen :

Will the Minister of **Food and Agriculture** be pleased to state :

(a) whether there is a scheme, with a view to reduce the pressure on land in the Kerala State and to meet the problem of unemployment for colonisation in States where there is dearth of human material to improve and develop the extensive lands which are lying idle ;

(b) how far the colonisation scheme undertaken in Bhopal has succeeded and

(c) whether there are fertile and extensive areas in 'Malanad' in the boundaries of Mysore, Madras and Bombay which are not brought under cultivation ?

The Minister of Agriculture (Dr. P. S. Deshmukh) : (a) Yes, the erstwhile Travancore-Cochin Government had submitted a Scheme for colonizing 1000 landless labourers in other States. The scheme is under consideration in consultation with the Madhya Pradesh Government.

(b) 469 landless agricultural workers, 200 Travancoreans and 269 Bhopalis have been settled on the lands of Central Mechanized Farm Bhopal.

(c) The Malnad area spreads over 25,000 sq. miles covering ever-green forests, rivers and river valleys of Kaveri, Tungabhadra, Jharavati, Netravati and Varahi, ; most of which is reported to be uncultivated.

National Extension Service Block for Kamalpur

1108. **Shri Dasaratha Deb :** Will the Minister of **Community Development** be pleased to state :

(a) whether National Extension Service Block has been opened for Kamalpur (Tripura) ;

(b) if so, what is the estimated budget for the current financial year ;

(c) the total amount spent so far ;

(d) the progress of National Extension Service Block so far ; and

(e) what are the concrete steps that are being taken for the direct participation of the masses in the activities of National Extension Service Block ?

The Minister of Community Development (Shri S. K. Dey) : (a) Yes.

(b) Rs. 78,000 (Revised estimates).

(c) Rs. 15,000 upto 30-11-1956.

(*d*) This block was inaugurated in April, 1956. Due to floods, preliminary survey work was delayed and the development programme during the first six months was primarly confined to the fields of agriculture and animal husbandry. Upto 30th September, 1956, 164 maunds of improved paddy seeds were distributed, 3212 cattle were inoculated and treated, 10500 fingerlings were supplied and 48 acres of additional land were brought under fruits and vegetable cultivation. Schemes in respect of other items have also been drawn up and sanctioned.

(e) To obtain effective participation of the people, meetings are held in the block area in which the precise role that the people can play in the development programme is explained to them.

Pirkai Chara Bridge

1109. **Shri Dasaratha Deb :** Will the Minister of **Transport** be pleased to state :

(a) the total amount of money spent for the construction of the temporary bridge over the *Pirkai Chara* near Pirkai bazar (Tripura) ; and

(b) the reason for not constructing *pucca* bridges in Tripura ?

The Deputy Minister of Railways and Transport (Shri Alagesan (a) Rs. 30,000.

(b) While timber is readily available locally, building materials for *pucca* bridges have to be imported from other States. This is why the construction of temporary bridges is being under taken to meet urgent requirements.

Jubbalpur-Itarsi Railway Line

1110. **Shri Kamath :** Will the Minister of **Railways** be pleased to refer to the reply given to Unstarred Question No. 2417 on the 28th May, 1956 and state :

(a) whether the examination of the proposal for partial doubling of Jubbalpur-Itarsi Railway Section has since been concluded; and

(b) if so, with what results ?

The Deputy Minister of Railways and Transport (Shri Alagesan) : (a) Not yet.

(b) Does not arise.

Exploratory Tube-wells

1111. **Shri Kamath :** Will the Minister of **Food and Agriculture** be pleased to refer to the reply given to Unstarred Question No. 1505 on the 10th September, 1955 and state :

(a) whether pump-sets have since been installed on the 13 wells mentioned therein;

(b) if not, on how many wells the pump-sets have been installed so far ;

(c) when the pump-sets will be installed on the remaining wells ?

The Deputy Minister of Food (Shri M. V. Krishnappa) : (a) and (b). Pump-sets have not yet been installed on the wells mentioned.

(c) The pumps are now expected to be received from the manufacturers by the 28th February 1957 and will be installed on the wells shortly thereafter.

Tube-wells

1112. **Shri Kamath :** Will the Minister of **Food and Agriculture** be pleased to refer to the relpy given to Unstarred Question No. 866 on the 11th April, 1956 and state :

(a) whether the pump has since been procured and installed at Silari Government Farm in Hoshangabad district ; and

(b) if not, the reasons therefor ?

The Minister of Agriculture (Dr. P. S. Deshmukh) : (a) Not yet.

(b) The pump has not yet been supplied by the Indian manufacturers on whom orders were placed by the Directorate-General of Supplies & Disposals. Extension of time for delivery of the pump has been granted by the Directorate General of Supplies & Disposals upto the 28th February, 1957.

Bombay Central Bridge

1113. Shri Kamath : Will the Minister of **Railways** be pleased to state :

(a) whether it is a fact that the Steel Columns of the Bombay Central Bridge and Tardeo Bridge (Western Railway) are very close to the rail track ;

(b) whether passengers standing on foot-boards of running trains have often been fatally hit by those steel columns and

(c) if so, the steps taken or proposed to be taken to prevent such accidents ?

The Deputy Minister of Railways and Transport (Shri Alagesan) : (a) to (c). The Steel Columns of the bridges mentioned do not infringe the standard dimensions laid down for such structures.

During 1954-55 and 1955-56 there were a total of nine accidents of grievous nature at these two bridges, of which two were fatal.

Travelling on the foot-boards of running trains is dangerous and is likely to result in such accidents. There is no proposal for undertaking any modifications to these bridges as they comply with the prescribed scheduled of dimensions.

Tube-wells

1114. Shri Kamath : Will the Minister of **Food and Agriculture** be pleased to refer to the reply given to Unstarred Question No. 869 on the 11th April, 1956 and state :

(a) how many of the 23 borings in Hoshangabad district have been found successful ; and

(b) when they will be converted into production tube-wells ?

The Minister of Agriculture (Dr. P. S. Deshmukh) : (a) Fourteen.

(b) Probably by April, 1957. Pumps have already been installed on two wells. For the remaining twelve wells, pumps have been ordered by the Directorate - General of Supplies & Disposals and are expected to be received by the end of February, 1957.

Tube-wells

1115. Shri Kamath : Will the Minister of **Food and Agriculture** be pleased to refer to the reply given to Unstarred Question No. 867 on the 11th April, 1956 and state :

(a) whether the pump has since been procured and installed at Pachlora in Hoshangabad District ; and

(b) if not, the reasons therefor ?

The Minister of Agriculture (Dr. P. S. Deshmukh): (a) Not yet.

(b) The pump has not yet been supplied by the Indian manufacturers, on whom orders wereplaced by the Directorate-General of Supplies, and Disposals. Extension of time for delivery of the pump has been granted by the Directorate General of Supplies and Disposals upto the 28th February, 1957.

Leper Colony Imphal

1116. Shri Rishang Keishing : Will the Minister of **Health** be pleased to state :

(a) whether it is a fact that 22 lepers in the Leper Colony at Imphal have launched Satyagraha with effect from the 16th November ; and

(b) what are the girevances of the lepers and why they have resorted to Satyagraha ?

The Minister of Health (Rajkumari Amrit Kaur) : (a) and (b). Twenty two discharged leprosy patients refused to leave the Leprosy Hospitls, Imphal. from 16th November, 1956. Their grievances were that they had no money for subsistence, no house to live in and that they were incapable to work properly. The patients, however, have homes and relatives. They are not completely crippled. They were assured of being kept under observation after discharge from the hospital. Subsequently they were paid Rupees twenty five each by the Chief Commissioner, Manipur, and all of them left the hospital except one who is said to be a displaced person. The Rehabilitation Department, Manipur, is making arrangements for his subsistence.

B.C.G. Team in Manipur

1117. Shri Rishang Keishing : Will the Minister of **Health** be pleased to state :

(a) whether any representation has been made by the technicians and workers of the B.C.G. team in Manipur ;

(b) whether the pay scale of B.C.G. Officer, team leader and the technicians sanctioned by the Union Government has been implemented by the local Government in Manipur.

(c) if not, whynot ;

(d) the respective dates from which allowances were given to them ; and

(e) why the allowances have not beed sanctioned with retrospective effect (*viz.*, April, 1952) ?

The Minister of Health (Rajkumari Amrit Kaur) : (a) to (e). Information has been called for and, when received, will be placed on the Table of Lok Sabha.

Leprosy Control in Manipur

1118. **Shri Rishang Keishing** : Will the Minister of **Health** be pleased to state :

(a) whether there has been any progress in the leper control schemes in Manipur since the appointment of two first grade surgeons ;

(b) whether the surgeons appointed are qualified ones ; and

(c) whether the leper hospital at Tamenlong has already started functioning ?

The Minister of Health (Rajkumari Amrit Kaur): (a) to (c). The information is being collected and will shortly be laid on the Table of Lok Sabha.

Itarsi Junction

1119. **Shri Kamath** : Will the Minister of **Railways** be pleased to state :

(a) whether Government are aware that at Itarsi Junction Central Railway where there is heavy passenger traffic all the year round, there are no separate entry and exit gates to various platforms ;

(b) whether on that account considerable inconvenience is caused to passengers going in and out when trains arrive at the Station ; and

(c) if so, the steps taken or proposed to be taken in order to afford relief ?

The Deputy Minister of Railways and Transport (Shri Alagesan) : (a) Yes.

(b) Yes, occasionally.

(c) The proposal to have separate entry and exit gates is under consideration.

Tube-wells

1120. **Shri Kamath** : Will the Minister of **Food and Agriculture** be pleased to refer to the reply given to Unstarred Question No. 503 on the 3rd December, 1956 and state :

(a) the names of the sites where the 30 bores were drilled in Madhya Pradesh; and

(b) the names of the 16 sites where production wells have been constructed.

The Minister of Agriculture (Dr. P. S. Deshmukh): (a)

Sl. No.	Names of Sites
In Hoshangabad District	
1.	Samalkhera
2.	Dharma-Khundi Khutwasa
3.	Timurni
4.	Semri
5.	Bankheri
6.	Kareli Narsinghpur
7.	Amgaon
8.	Deori
9.	Lakha
10.	Dudhwara
11.	Gadarwara
12.	Sainkhera
13.	Shapura
14.	Babai
15.	Sobhapur
16.	Pachlora
17.	Bakanj
18.	Kherua
19.	Powerkhera
20.	Pagdhal
21.	Piparia
22.	Arai
23.	Kheria
24.	Kauria
In Jabalpur District.	
25.	Jabalpur
26.	Bheraghat
In Bhopal	
27.	Tonga
28.	Udaipur
29.	Khapuriakalan
30.	Bareli

(b) Serial numbers 11 to 24 and 29 to 30.

उत्तर प्रदेश में विकास परियोजना

११२१. **श्री भक्त दर्शन** : क्या योजना मंत्री १४ दिसम्बर, १९५४ के अतारांकित प्रश्न संख्या ७४८ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) उत्तर प्रदेश की विभिन्न परियोजनाओं के सम्बन्ध में केन्द्र द्वारा मंजूर की गई लगभग बारह करोड़ रुपये की राशि के उपयोग के बारे में क्या सरकार ने पूरी जानकारी प्राप्त कर ली है ;

(ख) यदि हां, तो क्या उन परियोजनाओं और उनके लिये मंजूर किये अनुदानों के ब्यौरे देने वाला एक विवरण सभा-पटल पर रखा जायेगा ; और

(ग) उन विभिन्न परियोजनाओं को क्रियान्वित करने की दिशा में अब तक क्या प्रगति हुई है ?

योजना उपमंत्री (श्री श्या० नं० मिश्र): (क) और (ख). यह सूचना १२ मार्च, १९५५ को अतारांकित प्रश्न संख्या ७४८ के उत्तर में दिये गये आश्वासन की पूर्ति के सम्बन्ध में सभा की मेज पर पहले ही रखी जा चुकी है ।

(ग) यह सूचना प्राप्त की जा रही है ।

हेलीकोप्टर

११२२. श्री **भक्त दर्शन** : क्या सिंचाई और **विद्युत** मंत्री १३ मार्च, १९५६ के अतारांकित प्रश्न संख्या ३६७ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) क्या टेक्निकल सहायता कार्यक्रम के अन्तर्गत अमरीका से हेलीकोप्टर प्राप्त करने में सरकार को सफलता मिल गई है ;

(ख) यदि हां, तो उसका उपयोग किस प्रकार किया जा रहा है ; और

(ग) बाढ़-पीड़ित इलाकों की सहायता करने में वे कहां तक उपयोगी सिद्ध हुये हैं ?

सिंचाई और विद्युत उपमंत्री (श्री **हाथी**): (क) हेलीकोप्टर १९५७ की बरसात से पहले मिलने की आशा है ।

(ख) और (ग). प्रश्न नहीं उठते ।

Railway Quarters

1123. **Shri Bhagwat Jha Azad :**
Shri D. C. Sharma :

Will the Minister of **Railways** be pleased to state :

(a) whether the different zonal railways have drawn up schemes for the construction of new quarters during the Second Five Year Plan period ;

(b) if so, by which railways ; and

(c) the nature of schemes ?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) to (c). It is proposed to construct 64,500 quarters for all categories of staff at a cost of Rs. 35 crores during the Second Five Year Plan.

Indigenous Systems of Medicine

1124. ***Shri Krishnacharya Joshi**: Will the Minister of **Health** be pleased to state:

(a) what are the main Research works in Indigenous systems of medicine carried on during 1955-56;

(b) what are the Research schemes of various States approved by Government, and

(c) the total amount of grant-in-aid given for those schemes, State-wise ?

The Minister of Health (Rajkumari Amrit Kaur) : (a) to (c). A statement containing the requisite information is laid on the Table of the House [*See* Appendix V, annexure No. 58].

Gosadans

1125. **Shri D. C. Sharma** : Will the Minister of **Food and Agriculture** be pleased to state :

(a) the number of *Gosadans* to be established during the Second Five Year Plan period ; and

(b) the amount of money to be spent thereon ?

The Minister of Agriculture (Dr. P. S. Deshmukh) : (a) 60.

(b) 48·53 lakhs.

Stock of Powdered Milk

1126. **Shri D. C. Sharma** : Will the Minister of **Health** be pleased to state :

(a) the stock of powdered milk that Government have received from abroad from the 1st July, 1956 to the 30th November, 1956 ;

(b) how much has been distributed to the States during that period;

(c) whether a statement will be laid on the Table showing the quantities issued to each State during 1955-56 ; and

(d) to whom the milk powder is being mainly distributed in the States ?

The Minister of Health (Rajkumari Amrit Kaur) : (a) Approximately 21,87,734 pounds.

(b) Approximately 5,15,700 pounds.

(c) A statement showing the quantities of milk distributed to the States from the 1st April, 1955 to the 31st March, 1956 is laid on the Table of Lok Sabha [*See* Appendix V, annexure No. 59].

(d) To pregnant and nursing mothers and children.

[Electrification

1128. **Shri D. C. Sharma :** Will the Minister of **Irrigation and Power** be pleased to state :

(a) whehter the Government of India have given a loan to the Punjab Pradesh Government for electrification in the District of Hoshiarpur ;

(b) if so, when his grant was given ; and

(c) whether electrification work has started there ?

The Deputy Minister of Irrigation and Power (Shri Hathi) : (a) No loan has been sanctioned by the Government of India specifically for the electrification of Hoshiarpur District. A loan of Rs. 222 lakhs was sanctioned for the Bhakra-Nangal Power Distribution Project in the Punjab. The District of Hoshiarpur is covered by this scheme.

(b) During 1954-55.

(c) Yes.

Overbridge at Jaipur

1129. **Shri Bheekha Bhai :** Will the Minister of **Railways** be pleased to state :

(a) whether any representation has been received urging the construction of an overbridge at the level crossing on the Civil Lines side in Jaipur ; and

(b) if so, the action taken thereon ?

The Deputy Minister of Railways and Transport (Shri Alagesan) : (a) and (b). It has been decided to provide an over bridge in lieu of level crossing No. 223 at mile 149/45 on the Civil Line side at Jaipur as a result of correspondence between Government of Rajasthan and the Railway Administration.

The work has been taken in hand and is expected to be completed by the end of the current financial year.

Railways Service Commission

*1130. **Shri Jhulan Sinha :** Will the Minister of **Railways** be pleased to state :

(a) whether the difficulties felt by the candidates due to the non-publication of the list of successful candidates by the Railway Service Commission have been brought to his notice: and

(b) if so whether the desirability of the said publication has been examined and has been found feasible ?

The Deputy Minister of Railways and Transport (Shri Alagesan) : (a) Yes.

(b) Yes. The Railway Service Commissions have been advised that the list of successful candidates may be published in the public press as "News Item" free of cost.

Panchkura Railway Station

1131. **Shri S. C. Samanta :** Will the Minister of **Railways** be pleased to refer to the reply given to Unstarred Question No. 1375 on the 6th September, 1956 and state :

(a) whether there is any goods shed on the Panchkura Railway Station on S E. Railway to give protection to perishable goods like betel leaves vegetables etc. that are received and despatched from the Station ;

(b) whether it is a fact that the proposed construction of a goods shed on this station this year has been postponed ; and

(c) if so, the reasons therefor ?

The Deputy Minister of Railways and Transport (Shri Alagesan) : (a) No. Perishable commodities, *viz.*, betel leaves and vegetables are booked as parcels from Panchkura Railway Station and as a measure of protection from sun and rain, they are kept under the platform shed from the time of booking to the time of clearance.

(b) and (c). Yes. In view of impending electrification of Howrah-Kharagpaur Section, provision of a goods shed at Panchkura has been kept pending till the electrical survey is completed.

इंजन-डिब्बों आदि

११३२. **श्री अमर सिंह डामर :** क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) भारत के विभाजन के पश्चात् भारत में कितने डिब्बे या माल-डिब्बे थे ; और

(ख) विभाजन के बाद कितने नये डिब्बे या माल-डिब्बे तैयार किये गये ?

रेलवे तथा परिवहन उपमंत्री (श्री अलगेशन) : चोपहिये (क) डिब्बों के हिसाब से सार्वजनिक यातायात के लिये बड़ी लाइन के १,५४,२३२ और मीटर लाइन के ५१,६१२ माल डिब्बे ।

(ख) बंटवारे के बाद देश में लगभग ३८,००० बड़ी लाइन और ११,००० मीटर लाइन के डिब्बे बने । इस अवधि में बाहर से आये हुये स्टाक को मिलाकर

कुल ४१,६५७ बड़ी लाइन और ३५,५१६ मीटर लाइन के डिब्बे बढ़े ।

First Five Year Plan

1134. **Shri Barman** : Will the Minister of **Planning** be pleased to state:

(a) the total expenditure incurred on the First Five Year Plan ;

(b) various sources for financing of the Plan and their variations from the original estimates ; and

(c) the deficit financing of the Plan resorted to ?

The Deputy Minister of Planning (Shri S. N. Mishra) (a) In the first four years of the First Five Year Plan the total expenditure amounted to about Rs. 1348 crores. The 'revised estimate' for 1955-56 is Rs. 667 crores. Allowing for some shortfall in the actual plan outlay in 1955-56 as compared to the 'revised estimate', the total plan outlay over the five year period would be of the order of Rs. 1950 crores or so.

(b) and (c). The estimates of resources raised for the Plan under various heads and the variations from the original estimates under different heads are as follows :—

(Rs. crores)

	Estimates of resources raised	Variation from the original estimate
1. Balance from revenue account .	620	+50
2. Contribution of Railways .	115	—55
3. Loans from the public . .	204	+89
4. Small savings and unfunded debt .	304	+34
5. Deposits, funds and other miscellaneous sources	95	+38
Total domestic budgetary resources . .	1338	+80

External assistance at hand was indicated in the plan at Rs. 156 crores Deficit financing to the extent of Rs. 290 crores was envisaged against the withdrawal of sterling balances and the remaining gap in resources of Rs. 365 crores was to be made up by futher external assistance and by futher domestic resources to be raised through taxation, borrowings, deficit financing, etc. The actual utilisation of external assistance and deficit financing over the plan period are estimated at Rs. 197 crores and Rs. 415 crores respectively.

Import of Food Grains

1135. **Shri Bibhuti Mishra** : Will the Minister of **Food and Agriculture** be pleased to state:

(a) the total imports of foodgrains from various countries and their varieties from the 15th September, to the 31st October, 1956 and their prices per maund; and

(b) how do their prices compare with indigenous foodgrains?

The Minister of Agriculture (Dr. P. S. Deshmukh) (a)

Variety of foodgrain	Exporting country	Approximate Qty. in '000' tons.
Wheat .	Australia .	137·0
Wheat .	U.S.A. .	29·0
Rice .	Burma	118·0

The landed price varies from time to time as particularly the freight rates vary from ship to ship and between the different ports in India. Approximately this landed price is about Rs. 15/8/-. for wheat and Rs. 20/8/- for rice per maund.

(b) The landed price of wheat is about the same as that now of indigenous wheat while that of rice may be said to be a little higher.

Evaluation Reports

1136. **Thakur Jugal Kishore Sinha:**
Babu Ramnarayan Singh :
Shri Deogam:
Shri Kamath:

Will the Minister of **Community Development** be pleased to state :

(a) what are the important points in the evaluation reports that have been considered and implemented so far; and

(b) what other points are under examination and why there is delay in finalising the consideration of these points?

The Minister of Community Development (Shri S. K. Dey) (a) and (b). Attention is invited to my reply to Starred Question No. 1190 by Shri Raghubir Sahai on the 14th December, 1956, which indicated the position in this regard.

Cancer

1137. **Shri M. Islamuddin** : Will the Minister of **Health** be pleased to state :

(a) whether Government are aware of the statement made by the Director, Indian Cancer Research Institute, Bombay, while addressing the local Rotary Club in Mysore on 16th November, 1956 that dyes and colouring substances used in sweets, ice-creams and other dishes cause cancer; and

(b) if so, whether Government have investigated into the accuracy of this statement?

The Minister of Health (Rajkumari Amrit Kaur) (a) Government understand that the Director, Indian Cancer Research Centre, Bombay, stated that some Aniline-Azo dyes used for colouring sweets, ice-creams and other food-stuffs have been shown to be carcinogenic.

(b) The opinion expressed by the Director is based on the reports of experimental work done in several parts of the world on this subject. Government do not propose to conduct any investigation into the matter.

Catering Contractors

1138. **Shri R. N. Singh** : Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that single item petty vending contractors are to be uprooted from their original stations, including rehabilitated refugees;

(b) whether it is a fact that the policy of the Railway Board is to take away the vending and petty catering business from the petty contractors and hand over the same to the employees of the evicted contractors; and

(c) the actual figures of petty vending contractors and caterers on the Northern and North Eastern Railways who are to lose their contracts and the number of their employees who will become licensed vending contractors?

The Deputy Minister of Railways and Transport (Shri Alagesan) (a) and (b). At certain stations selected for introduction of departmental working the train-side vending contracts are proposed to be licensed direct to individual vendors at present working under the contractors, such of the latter as are petty contractors being absorbed either in the departmental set-up itself on commission basis or rehabilitated by allotment of suitable contracts at alternative stations.

(c) On the Northern Railway, the No. of petty contractors who contracts for train-side vending are to be directly licensed is 18 ; the number of vendors employed by them is 136.

Out of these, the train-side vending contracts of 7 contractors have already been licensed direct to 47 vendors employed by them, and those of the other 10 contractors are proposed to be licensed to 89 vendors.

On the N.E. Rly., the entire vending arrangements, except sale of fruits, etc., at stations selected for introduction of departmental catering, are proposed to be departmentalized.

While the petty contractors displaced as result thereof are proposed to be rehabilitated at alternative stations, the staff of the out-going contractors is proposed to be asborbed in the departmental set-up, provided medically fit and otherwise found suitable.

Railway Bridge in Malabar

1139. **Shri A. K. Gopalan** : Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that work of construction of the bridge between Payyanur and Patiyotinchal of Kerala State (Malabar District) is at a standstill; and

(b) if so, the reasons therefor?

The Deputy Minister of Railways and Transport (Shri Alagesa (a) and (b). There is no railway station named Patiyotinchal near about Payyanur. There is a village called Tathyopingal, 12 miles east of Payyanur but it is not connected by a railway. There is thus no railway bridge under construction as mentioned in the question.

Tenancy Laws in Kerala

1140. **Shri A. K. Gopalan** : Will the Minister of **Food and Agriculture** be pleased to state :

(a) whether it is a fact that tenancy laws differ in the Kasaragod Taluk area of Kerala State from the rest of the area in the State; and

(b) if so, whether Government intend to make the same tenancy legislation applicable to the entire area in the State?

The Minister of Agriculture (Dr. P. S. Deshmukh) (a) Yes. The Malabar

Tenancy Act, 1929, applies to 33 villages of Kasargod Taluk. The Kerala State includes the Travancore Area where the Travancore-Cochin Holdings Stay of Execution Proceedings Act, 1950 applies, the Cochin Area to which the Cochin Tenancy Act, 1938 applies, and some area from the former Madras State to which the Malabar Tenancy Act, the Madras Cultivating Tenants (Payment of Fair Rent) Act, 1956, and the Madras Cultivating Tenants Protection (Amendment) Act, 1956 apply.

(b) This question is under consideration.

'Punam' Land in Kerala State

1141. **Shri A. K. Gopalan**: Will the Minister of **Food and Agriculture** be pleased to state :

(a) the extent of " Punam " land available for cultivation in Kerala State ;

(b) the total area under cultivation at present, crop-wise ; and

(c) action taken or proposed to be taken by Government to bring the remaining area under cultivation ?

The Deputy Minister of Food (Shri M. V. Krishnappa): (a) 3,13,120 acres & 99 Cents.

(b) 63,308 acres & 35 Cents.

A statement showing area under cultivation, crop-wise, is laid on the Table of the House [*See* Apendix V, annexure No. 60].

(c) Action is being taken under Section 52 of the Malabar Tenancy Act as also under the Madras Land Utilisation Act to enforce the Jenmi to bring the remaining area under cultivation.

River Valley Projects

1142. **Shri Sanganna**: Will the Minister of **Irrigation and Power** be pleased to refer to the reply given to Starred Question No. 236 on the 20th November, 1956 and state the reasons for the omission of Naraj and Tikarapada Projects contiguous to the Hirakud Dam Project from the Second Five Year Plan?

The Deputy Minister of Irrigation and Power (Shri Hathi): There was no proposal from the State Government for inclusion of the Naraj Project in the Second Five Year Plan.

Tikarapada Project was not fully investigated by the State Government and could not therefore be included. The investigation of this project is, however, likely to be taken up by the State Government shortly.

Vamsadhara River Project

1143. **Shri Sanganna**: Will the Minister of **Irrigation and Power** be pleased to refer to the reply given to Starred Question No. 242 on the 20th November, 1956 and state :

(a) whether the information in respect of the preliminary survey of the Vamsadhara River Project has since been received ; and

(b) if so, the details thereof ?

The Deputy Minister of Irrigation and Power (Shri Hathi): (a) The reply is in the affirmative.

(b) The preliminary survey of the Vamsadhara Project has been completed. Further investigations are however necessary.

The Project drawn up as a result of the earlier investigations envisages the construction of a Dam across the Vamsadhara river at Gotta with a canal on either flank to irrigate 2,06,000 acres of first crop paddy, 50,000 acres of second crop paddy and 36,000 acres of jute. The estimated cost is Rs. 12·56 crores.

Overbridge at Amingaon

1144. **Shri Debendra Nath Sarma**: Will the Minister of **Railways** be pleased to state :

(a) whether it is a fact that there is a great need of an overbridge at Amingaon Railway Station of the North Eastern Railway on the level crossing of the Hajo-North-Gauhati Road; and

(b) if so, whether Government propose to take decision in the matter?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) and (b). A joint inspection of the site was carried out by Engineers of Assam Government and Railway Administration when a proposal for diversion of the road was considered. Details of this proposal are being worked out. The necessity for an overbridge would be investigated if the above proposal is not found feasible.

Railway Service Commission

1145. **Shri Debendra Nath Sarma**: Will the Minister of **Railways** be pleased to state whether there is any proposal for setting up a Railway Service Commission on a regional basis to recruit class IV employees of the Railways ?

The Deputy Minister of Railways and Transport (Shri Alagesan): No.

Rural Electrification in Andhra

1146. **Shri Viswanatha Reddy**: Will the Minister of **Irrigation and Power** be pleased to refer to the reply given to

Starred Question No. 1640 on the 1st September, 1956 and state :

(a) the schemes of rural electrification for which Andhra State desired funds for 1956-57 ; and

(b) the schemes for which funds have been sanctioned ?

The Deputy Minister of Irrigation and Power (Shri Hathi) : (a) No request for funds for rural electrification schemes has so far been received from the Government of Andhra.

(b) Does not arise.

टिकट कलेक्टर

११४७. श्री प० ला० बारूपाल : क्या **रेलवे** मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या भूतपूर्व बीकानेर स्टेट रेलवे के टिकट कलेक्टर अपनी संयुक्त वरिष्ठता के बारे में १९५४ से सरकार से पत्र-व्यवहार कर रहे हैं ; और

(ख) यदि हां, तो इस सम्बन्ध में निर्णय करने में विलम्ब होने के क्या कारण हैं ;

(ग) क्या यह सच है कि १९५३ में जिन टिकट कलेक्टरों की तरक्की होनी थी वह १९५६ तक नहीं हो सकी ; और

(घ) क्या भूतपूर्व बीकानेर स्टेट रेलवे के कर्मचारियों की एक ही ग्रेड की लगातार सेवा को उनकी संयुक्त वरिष्ठता के निर्धारण के प्रयोजन के लिये गिना गया है जैसा कि ग्रेन शाप क्लर्कों के साथ किया गया है ?

रेलवे तथा परिवहन उपमंत्री (श्री अलगेशन) : (क) जी हां ।

(ख) इस बात का फ़ैसला यूनियन की सलाह से किया जाना है । इसके लिये जिन तारीखों में बैठकें बुलाई गई थीं उन में यूनियन के प्रतिनिधि न आ सके और इसीलिये फ़ैसला न हो सका । उन से बातचीत करने के लिये एक और बैठक बुलाई गयी है ।

(ग) जी नहीं ।

(घ) जी नहीं ।

रेलगाड़ियों का समय से आना-जाना

११४८. श्री प० ला० बारुपाल : क्या **रेलवे** मंत्री यह बताने की कृपा करेंगी कि :

(क) क्या उन्हें इस बात की जानकारी है कि हनुमानगढ़ जंक्शन से भटिण्डा जाने वाली सवारी गाड़ियां अक्सर देर से पहुंचती हैं और इसके फलस्वरूप मुसाफिरों को दिल्ली तथा अन्य स्थानों को जाने वाली गाड़ियां नहीं मिलतीं ; और

(ख) यदि हां, तो इस सम्बन्ध में क्या कार्यवाही की गई है ?

रेलवे तथा परिवहन उपमंत्री (श्री अलगेशन) : (क) हनुमानगढ़-भटिण्डा सेक्शन पर गाड़ियों का समय पर चलना संतोषजनक नहीं रहा है । इसका एक मुख्य कारण यह है कि इस सेक्शन पर जितनी गाड़ियां चलाई जा सकती हैं, चल रही हैं और दूसरे यह कि इस पर ६ से १० मील तक के लम्बे ब्लाक सेक्शन भी हैं ।

(ख) इस सेक्शन पर गाड़ियों को ठीक समय पर चलाने के लिये जो उपाय किये गये हैं या करने का विचार है, वे इस प्रकार हैं :—

(i) बीकानेर का डिवीज़न दफ्तर इस सेक्शन पर चलने वाली गाड़ियों के आने जाने पर पूरी निगरानी रख रहा है ।

(ii) बीकानेर-भटिण्डा सेक्शन पर चलने वाली गाड़ियों के लिये १९५६–५७ में कन्ट्रोल की व्यवस्था की गई है । इस काम के पूरा हो जाने पर गाड़ियों का समय से आना-जाना बहुत कुछ सुधर जायेगा ।

(iii) दो 'डी' दर्जे के स्टेशनों को क्रासिंग स्टेशन बना दिया गया है और एक तीसरा स्टेशन

भी जल्द क्रासिंग स्टेशन बनाया जायेगा। इससे ब्लाक सेक्शन की लम्बाई कम हो जामगी और सेक्शन पर गाड़ियां समय से चलने लगेंगी।

Incident at Rajahmundry Station

1149. Dr. Rama Rao : Will the Minister of **Railways** be pleased to state :

(a) whether the Railway police at Rajahmundry (Southern Railway) beat up a woman passenger in the second week of November (about 13th or 14th).

(b) whether she was taken to the Railway hospital and then to Government hospital ; and

(c) what action has been taken against persons responsible ?

The Deputy Minister of Railways and Transport (Shri Alagesan) : (a) A complaint was recorded in the complaint book at the Rajahmundry Station by a woman passenger, Kaparapu Sanyasamma by name, on 13/11/1956 alleging that she had been assaulted by the Government Railway Police at Rajahmundry on that date.

(b) Yes.

(c) The matter is under investigation by the Superintendent, Government Railway Police, Bezwada, who is under the administrative control of the State Government.

Passenger Guides on Katihar-Siliguri

1150. Shri M. Islamuddin : Will the Minister of **Railways** be pleased to state :

(a) the number of passenger guides if any, working at various stations on the Katihar-Siliguri Section of the North Eastern Railway ; and

(b) whether there is any proposal to extend the facilities to other Stations on that Section during the Second Five Year Plan ?

The Deputy Minister of Railways and Transport (Shri Alagesan) : (a) 6 Passenger Guides are working on this Section.

(b) Not so far.

Drinking Water at Stations

1151. Shri M. Islamuddin : Will the Minister of **Railways** be pleased to state :

(a) the names of the various Stations where mobile drinking water facilities have been provided on the Katihar Siliguri Section of the North Eastern Railway ;

(b) whether the facilities are to be extended to other Stations on that Section during the Second Five Year Plan ; and

(c) if so, at what Stations ?

The Dputy Minister of Railways and Transport (Shri Alagesan) : (a) Mobile drinking water facilities are provided at Katihar, Kishanganj and Siliguri Jn. The Katihar-Siliguri section, however, is on the North Eastern Railway.

(b) Yes.

(c) Barsoi Thakurganj Taibpur and Aluabari Road stations.

Shuttle Train between Purnea and Kishanganj Stations

1152. Shri M. Islamuddin : Will the Minister of **Railways** be pleased to state:

(a) whether there is any proposal to introduce a shuttle train between Purnea to Kishanganj Stations of the North Eastern Railway ;

(b) if so, when; and

(c) if not, the reasons therefor?

The Deputy Minister of Railways and Transport (Shri Alagesan) : (a) No such proposal at present.

(b) Does not arise.

(c) Due to shortage of coaching stock and locomotives, lack of adequate terminal facilities at Purnea and Kishanganj stations and difficulty in dealing with additional trains at Katihar yard.

Passenger Amenities, Siliguri

1153. Shri M. Islamuddin : Will the Minister of **Railways** be pleased to state:

(a) whether there are any proposals to construct more waiting rooms and waiting halls as well as for the improvement of the existing ones on the Kathihar-Siliguri Section of the North-Eastern Railway during the Second Five Year Plan; and

(b) if so, the details thereof?

The Deputy Minister of Railways and Transport (Shri Alagesan) : (a) and (b). There are proposals to provide waiting halls at Barsoi and Kanki Stations during the Second Five Year Plan period.

There is at present no proposal for improvement to any existing waiting room or hall.

Shed Cover at Purnea Station

1154. **Shri M. Islamuddin**: Will the Minister of **Railways** be pleased to state:

(a) whether the shed cover at Purnea Station of the North Eastern Railway has been left unfinished;

(b) if so, the steps that are being taken to complete the shed; and

(c) what are the other development Schemes for that Station during the Second Five Year Plan?

The Deputy Minister of Railways and Transport (Shri Alagesan) : (a) and (b). The erection of the platform shed on the island platform was delayed due to non-receipt of the cement which has now been arranged. The work is in progress and is expected to be completed in two months' time.

(c) Extensive remodelling of the purnea station building is already in progress which includes provision of platform shed, foot overbridge, sanitized bath rooms and latrines, piped water supply and additional storage for drinking water on platform.

Kishanganj Station

1155. **Shri M. Islamuddin:** will the Minister of **Railways** be pleased to state:

(a) whether two trains though running in opposite directions, halt simultaneously at Kishanganj Station of the North Eastern Railway and whether one train having no platform and shed on the other side is required to halt there, thus causing great inconvenience to the travelling public especially the old and the handicapped because of deepness of the foot-board and the ground floor;

(b) if so, whether Government propose to construct a platform and a shed on another side of the Station immediately in view of the urgency of the need;

(c) whether Government have in mind any other special scheme for the improvement and development of that Station during the Second Five Year Plan; and

(d) if so, the details thereof?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Yes.

(b) Proposal for the provision of an island platform is under consideration.

(c) Yes. Proposal for further development and improvement of Kishanganj Station Yard is under consideration.

(d) Details have not yet been finalised.

कोयले की बिजली

११५६. **श्री प० ला० बारूपाल** : क्या **सिंचाई और विद्युत** मंत्री यह बताने की कृपा करेंगे कि :

(क) भारत में दस पौंड कोयले से कितनी यूनिट बिजली तैयार की जाती है और इसके मुकाबले में अन्य देशों में कितनी तैयार की जाती है ; और

(ख) क्या सरकार को इस बात की जानकारी है कि जले कोयले की राख (छार) का ठेका लेने वाले ठेकेदार पावर हाउस के अधिकारियों और भट्टियों से जला कोयला निकालने वाले मजदूरों से मिल कर कच्चा कोयला ही निकलवा लेते हैं जिसके फलस्वरूप कोयला अधिक खर्च होता है और बिजली कम तैयार होती है ?

सिंचाई और विद्युत उपमंत्री (श्री हाथी) : (क) जानकारी नीचे दी गई है :—

(i) भारत	५.६ युनिट
(ii) इंगलैंड (यू० के०)	७.५२ यूनिट
(iii) अमरीका (यू० एस० ए०)	६.०० यूनिट

ऊपर दिये गये आंकड़े प्रत्येक देश में कोयले से चलने वाले सब बिजली घरों का औसत उत्पादन सूचित करते हैं ।

(ख) भारत सरकार के पास इस सम्बन्ध में कोई जानकारी नहीं है ।

Railway Catering and Vending Workers' Union

1157. { **Shri Sadhan Gupta :**
Shri H. N. Mukerjee:

Will the Minister of **Railways** be pleased to state:

(a) whether any representation has been received by Government from All India Railway Catering and Vending Workers' Union regarding the conditions of service of catering staff on the Eastern Railway;

(b) if so, the demands made ; and

(c) the steps so far taken in respect of the said demands?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Yes, a representation made by this unrecognised Union was received recently.

(b) and (c). A statement is laid on the Table of the House. [*See* Appendix V, annexure No. 61.]

Railway Workshop Technical Schools

1158. Shri Debendra Nath Sarma: Will the Minister of **Railways** be pleased to state:

(a) whether there is a demand from public for starting new Railway Workshop with Technical Schools at Pandu, Gauhati, Bongaigaon and Dibrugarh in the North Eastern Railway; and

(b) if so, the steps taken so far to meet the demand?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) and (b). So far as can be ascertained the North Eastern Railway Administration has not in the recent past received any demand from the public for construction of new Railway Workshops with Techincal Schools at Pandu, Gauhati, Bongaigaon and Dibrugarh. However, it is proposed to expand the existing Dibrugarh Workshop at a cost of Rs. 1·5 crores and to provide a Basic Training Centre during the Second Plan period.

When the Railway Minister visited Assam in October, 1953, he had received some representation in this connection. It may be stated, however, that when deciding the location of workshops and schools, it is not the representations from the public but the needs of the Railway and other administrative aspects that have to be taken into consideration.

Claims of Landowners on Railways

1159. Shri Debendra Nath Sarma: Will the Minister of **Railways** be pleased to state:

(a) whether the claims of the landowners of Kamakshya whose lands have been acquired by the Railway Authorities in the North Eastern Railway have been settled; and

(b) if not, the total number of claims still pending?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) No.

(b) The exact number is not known.

Hospitals in Delhi State

1160. { **Sardar Iqbal Singh:**
Sardar Akarpuri:

Will the Minister of **Health** be pleased to state:

(a) the number of operations conducted in different hospitals in the Delhi State during 1955 and 1956 so far;

(b) the number of patients who died in operation there during 1955 and 1956 so far;

(c) whether Government have enquired into these cases; and

(d) if so, with what results?

The Minister of Health (Rajkumari Amrit Kaur): (a) to (d). A statement giving the required information in respect of the Government Hospitals and Health Centres in Delhi is laid on the Table of the House. [*See* Appendix V, annexure No. 62].

Indian Seamen

1161. Shri M. K. Moitra: Will the Minister of **Transport** be pleased to state:

(a) whether four Indian seamen of S. S. Baron Macklay were arrested about three months back at Mombasa in East Africa on a charge of being unlawful immigrants and were imprisoned;

(b) whether any passport is necessary for seamen under International Convention; and

(c) what help the Indian Trade Agent gave to these Indian seamen under trial?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Yes.

(b) Seamen on "Articles" of a ship are not generally required to possess passports. Their discharge certificates are considered as valid travel documents for the purpose. When they are to be landed at any port, the permission of the local immigration authorities is usually obtained by the Master or the Agents of the ship.

(c) It is not known what precise help was rendered by the Indian Trade Commissioner. The position is being ascertained.

Indian Seamen

1162. Shri M. K. Moitra: Will the Minister of **Transport** be pleased to state:

(a) whether it is a fact that Indian Seamen's Welfare Officer at Liverpool did not render any help to the Indian seamen of S. S. Maskeliya when they were prosecuted and imprisoned at Liverpool;

(b) whether any enquiry has been made about the conduct of the Indian Seamen's Welfare Officer in U. K. by the Director General, Shipping; and

(c) whether Government propose to persuade the Company to pay these Indian seamen compensation for termination of their services before the contract period and also their repatriation charges?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) No definite information is available. The High Commissioner of India in U.K. has, however, been requested to depute a senior officer to look into the complaints against this officer and submit a report. The report is awaited.

(b) The Director General of Shipping did not make any enquiries in this behalf during his visit to U.K.

(c) The matter is being looked into.

Railway Wireless Operators

1163. Shri M. S. Gurupadaswamy: Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that wireless operators recruited on a higher salary in Western Railway and after having drawn that salary have been given subsequently a lower salary;

(b) whether it is also a fact that discrimination has been made in the rate of salary between different persons in the same category of wireless operators; and

(c) if so, the reasons for such discrimination?

The Deputy Minister of Railways and Transport (Shri Alagesan) : (a) to (c). No direct recruitment was made to the category of wireless operators. Telegraph Signallers were given training and thereafter promoted as wireless operators. The pay during training as well as the post—31 scale of pay of wireless operators was Rs. 120/- per month. Persons who were working as wireless operators on 1-1-1947 or 16-8-1947, as the case may be, were fixed in the CPC scales taking into account the pay of Rs. 120/- drawn by them in accordance with the Railway Services (Revision of pay) Rules; those who were not officiating as wireless operators on these dates were not entitled to fixation under these rules. The question of fixation of their pay is under consideration.

Railway Wireless Operators

1164. Shri M. S. Gurupadaswamy: Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that the seniority of Railway Wireless Operators of the Northern Railway Head Quarters which was recently finalised is going to be revised; and

(b) if so, the reasons therefor?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) and (b). The question is under consideration.

Accidental Death of a Catering Employee

1165. { Shri H. N. Mukerjee:
Shri M. S. Gurupadaswamy

Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that on or about the 6th October, 1956, a bearer employed in the Delhi-Kalka Mail Dining Car, named Shri Ismail, was run over and killed while in active service at or near Fatehpur Station; and

(b) whether an inquiry was held into the incident and if so, with what results?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Yes; a bearer named Shri Mohd. Ismail Khan fell down and was run over while trying to entrain the Dining Car attached to No. 61 Up Howrah-Delhi-Kalka Mail, after the train had started from Fatehpur station of the Northern Railway at 12·29 hours on 6-10-1956. The train was immediately brought to a stop and he was rendered First Aid at the Railway Dispensary, Fatehpur, by the Railway Assistant Surgeon. Thereafter the injured was removed to the Civil Hospital, Fatehpur where he expired at about 14·00 hours on the same day.

(b) An enquiry into the incident was held by a Committee of Assistant Officers of the Railway and their report is awaited.

Railway Staff

1166. Shri Bheekha Bhai: Will the Minister of **Railways** be pleased to state:

(a) the number of women employees in all Railways including class IV staff;

(b) whether they are treated on par with other male employees specially in I.O.W. Workshops on Central and Eastern Railway; and

(c) if not, the reasons therefor?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) 5,399 (except South Eastern Railways).

(b) Yes.

(c) Does not arise.

Appeals of Railways Staff

1167. **Shri Bheekha Bhai:** Will the Minister of **Railways** be pleased to state:

(a) the number of appeals received by the Railway Board from Class III and IV Staff during the last four years;

(b) the number of such cases disposed of by the Board; and

(c) the number of appeals decided in favour of Class III and IV staff?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) 188.

(b) 181.

(c) 26.

Gorakhpur Railway Station

1168. **Shri Bishwa Nath Roy:** Will the Minister of **Railways** be pleased to state in view of insufficient accommodation in the Railway Station building at Gorakhpur whether any proposal is under consideration for its extention?

The Deputy Minister of Railways and Transport (Shri Alagesan): Yes, proposals are under consideration for the expansion of the station building at Gorakhpur, which *inter alia* include expansion of the Parcels Office, Enquiry Office, R. M. S. Office etc.

Cancellation of Trains on N. E. Railway

1169. **Shri M. Islamuddin:** Will the Minister of **Railways** be pleased to refer to the reply given to Starred Question No. 544 on the 28th November, 1956 regarding cancellation of 313 Up and 314 Down trains running between Jogbani to Katihar with effect from 1st October, 1956 and state:

(a) whether Government have since examined the proposal to start the train again in view of the public demand; and

(b) if not, the reasons for the delay?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) and (b). The matter has been examined but it is not feasible to restore the running of Nos. 313 Up and 314 Down passenger trains between Katihar and Jogbani. However, with effect from 1-1-57.

(i) The rake of 314 Dn after attention at Katihar will work as 553 Up leaving Katihar at 13·40 hours and arriving at Jogbani at 17·35. This rake will work as 313 Up from Jogbani to kanpur Anwarganj leaving Jogbani at 18·25 hours arriving at Katihar at 21·55 hours and leaving Katihar at 22·25 hours.

(ii) Trains No. 321 Up and 322 Dn, at present running between Allahabad City and Katihar will be extended to run to and from Jogbani for the convenience of Jogbani passengers. These trains will maintain convenient connections with Nos. 344 Up and CPI Dn at Sonepore for passenger travelling to and from Patna.

Per Capita Milk Consumption in West Bengal

1170. **Shri M. Islamuddin:** Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether any special efforts are being made to increase the *per capita* consumption to milk and milk products in West Bengal apart from the Greater Calcutta Milk Project; and

(b) if so, the details thereof?

The Deputy Minister of Food (Shri M. V. Krishanappa): (a) and (b). Yes, through the following Centrally aided Cattle Development Schemes included in the Second Five Year Plan:

(i) Setting up of 10 Artificial Insemination Centres with 34 key villages,

(ii) establishment of 25 Extension Centres,

(iii) subsidised rearing of 1,000 selected calves, and

(iv) development of feeds and fodder resources.

The total cost of these schemes is estimated at Rs. 50 lakhs.

In addition the State Government have a number of Cattle and Dairy Development Schemes of their own.

These schemes are aimed to increase the available milk and milk products and the *per capita* consumption.

Anti-Malaria Work

1171. **Shri M. Islamuddin:** Will the Minister of **Health** be pleased to state the progress made so far in respect of anti-malaria work in Bihar and West Bengal respectively with particular reference to the rural areas of these States?

The Minister of Health (Rajkumari Amrit Kaur): The progress made in respect of anti-malaria work in Bihar and West Bengal is as follows:—

BIHAR

Under the National Malaria Control Programme the State was allotted 7 units in 1953-54, which was raised to 14 units in 1954-55, and 17 units in 1955-56. These seventeen units are protecting a population of 15·1 million of people of which 14·6 million relates to rural areas. As a result of the spraying operations carried out under the Programme, the number of malaria cases, child spleen index and child parasite index have gradually gone down as follows:—

Year	Malaria cases	Population protected	Child Spleen Index	Child parasite index
1953-54	1.11 million	1.35 million	56.1 %	4.3 %
1955-56	0.51 million	15.1 million	18.3 %	2.6 %

WEST BENGAL

Under the Programme the State was allotted 16 units in 1953-54, which were raised to 22 in 1954-55.

These units cover 30470 square miles and are affording protection to 17·5 million people in the State of which 15·9 million relates to rural areas As a result of spraying operations, carried out under the Programme the number of malaria cases, child spleen index and child parasite index have gradually gone down as follows:—

Year	Malaria cases	Population protected.	Child Spleen Index (average)	Child parasite index (average)
1953-54	1.21 million	13.6 million	20.3 %	1.1 %
1955-56	0.57 million	175.5 million	6.7 %	0.01 %

The progress in respect of Malaria work in both the States has been quite satisfactory.

"Jai Bharat Special" Train

1172. **Shri Kamath:** Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that a train known as "Jai Bharat Special", left Victoria Terminus (Bombay) on the 2nd February, 1956 and returned to Bombay on 1st March, 1956, after completing a tour of some important centres in India; and

(b) the circumstances and the grounds on which such a special train was sanctioned?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Yes, from 2-2-56 to 2-3-56 for a party of Kisans and Gardeners of Thana District.

(b) A special train was arranged on an application dated 10-12-55 from the organizer, on fulfilling the usual conditions for running a special train.

Indians Murdered in a Steamship

1173. **Shri Kamath:** Will the Minister of **Transport** be pleased to state:

(a) whether some Indian passengers on board S.S. Dara, British Indian Steam-o., were assaulted and murdered on 13th November, 1956; and

(b) if so, the details of the incident?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Yes; 3 passengers were attacked and severely assaulted on board the S.S. "Dara" on the 13th November, 1956 when the vessel was lying at Basra, by deportees from Pakistan who were placed on board the ship without the knowledge of the ship's Master. One of them succumbed to the injuries and the remaining two were removed for medical treatment to a hospital in Basra.

(b) A statement is laid on the Table of the House. [*See* Appendix V, annexure No. 63.]

तिब्बत सीमावर्ती क्षेत्र

[११७४. **श्री भक्त दर्शन** : क्या योजना मंत्री १० अप्रैल, १९५६ के तारांकित प्रश्न संख्या १३२५ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) उत्तर प्रदेश के तिब्बत सीमावर्ती क्षेत्रों का विकास करने से सम्बन्धित योजनाओं को कार्यान्वित करने की दिशा में इस बीच और क्या प्रगति हुई है ;

(ख) द्वितीय पंच वर्षीय योजना के अन्तर्गत उन क्षेत्रों का विकास करने के लिये जो और योजनायें विचाराधीन थीं, क्या इस बीच उनके बारे में निर्णय कर लिया गया है ;

(ग) यदि हां, तो क्या उस निर्णय का ब्यौरा सभा-पटल पर रखा जायेगा ; और

(घ) यदि नहीं, तो निर्णय में देरी होने का क्या कारण है और अन्तिम निर्णय कब तक हो जाने की आशा है ?

योजना उपमंत्री (श्री श्या० नं० मिश्र): (क) और (ख). अपेक्षित सूचना प्राप्त की जा रही है ।

(ग) और (घ). प्रश्न नहीं उठता ।

रेलवे स्टेशनों पर टेलीफोन

११७५. **श्री भक्त दर्शन :** क्या रेलवे मंत्री १७ जुलाई, १९५६ के अतारांकित प्रश्न संख्या ३९ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) उत्तर रेलवे के और किन-किन स्टेशनों पर इस बीच टेलीफोन लगाये जा चुके हैं ; और

(ख) शेष स्टेशनों पर कब तक टेलीफोन लग जाने की आशा है ?

रेलवे तथा परिवहन उपमंत्री (श्री अलगेशन) : (क) दिल्ली, शाहदरा और अलीगढ़ स्टेशन ।

(ख) नोहर, गुड़गांव, सम्भल, हातिमसराय, सब्जीमण्डी और मैनपुरी स्टेशनों पर टेलीफोन लगाने के लिये डाक व तार विभाग को लिखा गया है । लेकिन अभी तक यह नहीं कहा जा सकता कि ये टेलीफोन किस तारीख तक लगा दिये जायेंगे ।

गाड़ी का पटरी से उतरना

११७६. **श्री रघुनाथ सिंह :** क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि ३० नवम्बर, १९५६ को उरई स्टेशन (झांसी-कानपुर) लाइन) के बाहरी सिगनल के निकट एक सवारी गाड़ी के पांच डिब्बे पटरी से उतर गये थे ; और

(ख) यदि हां, तो इस दुर्घटना के क्या कारण थे ?

रेलवे तथा परिवहन उपमंत्री (श्री अलगेशन) : ३०–११–५६ को रात के लगभग २ बज कर ५३ मिनट पर जब १०८ अप सवारी गाड़ी मध्य रेलवे के इकहरी लाइन वाले झांसी-कानपुर सेक्शन में उरई स्टेशन से छूट रही थी, तो टाउन निकट सिगनल (Down Home Signal) और अप अग्रवर्ती प्रस्थान सिगनल (Up Advanced Starting Signal) के बीच इंजन के दूसरे नम्बर से ले कर छठे तक के इसके ५ डिब्बे पटरी से उतर गये

(ख) दुर्घटना के कारण की जांच की जा रही है ।

Promotion of Railway Employees to Officer Cadre

1177. **Shrimati Renu Chakravartty:** Will the Minister of **Railways** be pleased to state:

(a) whether at the time of banning railway officers from applying for non-railway jobs any assurance was given that they will be allowed chances of promotion within the railways themselves; and

(b) if so, whether railway employees of Accounts Department eligible for appearing in I.A.S. Special Recruitment Examination will be considered for promotion to officer cadre without passing the Appendix IIIA examination?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) No; however, they are getting ample chances of promotion within the Railways themselves.

(b) Appendix III-A Examination is a departmental examination of a technical character for the staff of the Accounts Department. Eligibility to appear in I.A.S. Special Recruitment examination would not by itself entitle one to promotion

to the Gazetted Cadre in the Accounts Department.

Planning Commission's Meeting

1178. Shri Kamath: Will the Minister of **Planning** be pleased to lay a statement on the Table showing:

(a) the total number of meetings held by the Planning Commission since the 1st April, 1956;

(b) how many of such meetings were of the Commission by itself, and how many in conference with other individuals or groups;

(c) the individuals or groups with whom the Commission so conferred; and

(d) the details of attendance *viz.*, the number and names of members who attended each of the meetings referred to in part (b) above?

The Deputy Minister of Planning (Shri S. N. Mishra): (a) to (d). Fifty five meetings of the Planning Commission were held during the period 1st April, 1956 to December 14, 1956. Of these, 39 meetings were internal meetings of the Commission; most of these meetings were attended by members and senior officers of the Commission and representatives of the Ministry of Finance and the Ministries concerned with the subject matter under discussion. Sixteen meetings were held by the Planning Commission with individuals or groups, mostly foreign dignitaries and visitors or planning experts.

There were two meetings of the National Development Council in May and December, 1956 respectively which were attended by the members and senior officers of the Planning Commission, the Chief Ministers of States accompanied in some cases by their Planning Ministers, and the Union Ministers.

134 meetings were held by individual Members of Planning Commission or senior officers with representatives of State Governments and/or Central Ministries.

पर्वतीय क्षेत्रों में सड़कें

११७९. श्री भक्त दर्शन : क्या **परिवहन** मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि द्वितीय पंचवर्षीय योजना के अन्तर्गत पर्वतीय क्षेत्रों में सड़कों के विकास के लिये धन-राशियां निश्चित की गई हैं ;

(ख) यदि हां, तो क्या विभिन्न राज्यों में इन राशियों का बटवारा करने के बारे में अन्तिम निर्णय कर लिया गया है ;

(ग) यदि हां, तो भिन्न भिन्न राज्यों में व्यय करने के लिये कितनी-कितनी धन-राशियां निश्चित की गई हैं ; और

(घ) उपरोक्त योजना में उत्तर प्रदेश की जिन सड़कों को सम्मिलित किया गया है, उनका विवरण क्या है ?

रेलवे तथा परिवहन उपमंत्री (श्री अलगेशन) : (क) से (घ). दूसरी पंचवर्षीय योजना के अन्तर्गत पहाड़ी क्षेत्रों के बीच में सड़कों के विकास के लिये खास कर कोई पूंजी निर्धारित नहीं की गई है, लेकिन कई एक राज्यों में उपलब्ध निधि से ऐसी सड़कों के विकास के लिये जो आर्थिक या अन्तर्राज्यीय दृष्टि से महत्व की हैं, अनुदान मंजूर किये जा चुके हैं । एक विवरण जिसमें उत्तर प्रदेश सहित अन्य राज्यों के पहाड़ी क्षेत्रों में वे सड़कें दिखाई गई हैं जिनके लिये पहले ही अनुदान मंजूर हो चुके हैं, सभा की मेज पर गया है । [देखिये परिशिष्ट ५, अनुबन्ध संख्या ६४]

उत्तर प्रदेश में सड़कें

११८०. श्री भक्त दर्शन : क्या परिवहन मंत्री १६ अप्रैल, १९५६ के अतारांकित प्रश्न संख्या ९८६ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) उत्तर प्रदेश में तैंतीस सड़कें बनाने के लिये १२५ लाख रुपये की जो विशेष सहायता मंजूर की गई थी उसमें से प्रत्येक सड़क के लिये अब तक अलग-अलग कितनी धन-राशियां दी जा चुकी हैं; और

(ख) प्रत्येक सड़क के निर्माण म अब तक क्या प्रगति हुई है ?

रेलवे तथा परिवहन उपमंत्री (श्री अलगेशन) : (क) और (ख) एक विवरण सभापटल पर रखा जाता गया है । [देखिये परिशिष्ट ५, अनुबन्ध संख्या ६५]

उत्तर प्रदेश में पुल

११८१. श्री भक्त दर्शन : क्या परिवहन मंत्री २१ दिसम्बर, १९५५ के अतारांकित प्रश्न संख्या ८४४ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि पचास लाख रुपये के ऋण से उत्तर प्रदेश में जिन ग्यारह पुलों के निर्माण के लिये स्वीकृति दी गई थी, उनके निर्माण में अब तक क्या प्रगति हुई है ?

रेलवे तथा परिवहन उपमंत्री (श्री अलगेशन) : चूंकि पुल राज्य की सड़कों पर हैं इसलिये इनके बनाने की सारी जुम्मेवारी उत्तर प्रदेश सरकार की है । भारत सरकार को यह मालूम नहीं है कि इन कामों में अब तक कितनी प्रगति हुई है और नही राज्य सरकार की यह जुम्मेवारी है कि वह भारत सरकार को इसकी प्रगति रिपोर्ट भेजे ।

केन्द्रिय सड़क निधि

११८२. श्री भक्त दर्शन : क्या परिवहन मंत्री १८ मई, १९५६ के तारांकित प्रश्न संख्या २३२३ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) केन्द्रीय सड़क निधि में जो लगभग नौ करोड़ रुपये की धन-राशि विभिन्न राज्यों के खाते में शेष थी, उसका प्रयोग करने की दिशा में इस बीच क्या प्रगति हुई है ;

(ख) अब प्रत्येक राज्य के खाते में कितनी-कितनी धन-राशि शेष है ;

(ग) उत्तर प्रदेश के खाते में जो ४७.१७ लाख रुपये शेष थे उनका उपयोग क्या किन्हीं सड़कों के निर्माण में करने का निश्चय किया गया है ; और

(घ) यदि हां, तो उसका ब्यौरा क्या है ?

रेलवे तथा परिवहन उपमंत्री (श्री अलगेशन) : (क) यह आशा की जाती है कि दिसम्बर, १९५६ के अन्त तक राज्य के विभाजन खाते में बिना खर्च की गई शेष पूंजी ६७१ लाख रुपये रह जायेगी ।

(ख) एक विवरण सभा पलट पर रखा जाता है [**देखिये परिशिष्ट ५, अनुबन्ध संख्या ६६**]

(ग) और (घ). उत्तर प्रदेश राज्य के हिसाब में इस बिना खर्च की गई शेष पूंजी की खपत के लिये बहुत से काम पहले ही मंजूर हो चुके हैं । दिसम्बर, १९५६ के आखिर तक इन कामों पर जो बकाया खर्चे की जिम्मेवारी है उसका अन्दाजा ८०.९० लाख रुपये तक है और बिना खर्च की गई शेष पूंजी को इस जिम्मेदारी के पूरा करने में इस्तेमाल किया जावेगा । राज्य सरकार से कहा गया है कि वह इस बिना खर्च की गई शेष पूंजी को इन मंजूर किये हुये कामों के उपयोग में लगावे और इन राज्यों की प्रगति को बढ़ावे ।

गांवों की सड़कें

११८३. श्री भक्त दर्शन : क्या परिवहन मंत्री ११ अप्रैल, १९५६ के अतारांकित प्रश्न संख्या ८८३ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) गांवों को जाने वाली सड़कों का सहकारी आधार पर निर्माण करने के लिये इस बीच विभिन्न राज्यों को और क्या अनुदान दिये गये हैं ; और

(ख) उपरोक्त उत्तर में पटल पर रखे गये विवरण में जिन सड़कों का उल्लेख किया गया, क्या उत्तर प्रदेश में उनके अतिरिक्त भी कुछ सड़कें केन्द्रीय सड़क निधि अनुदान योजना में सम्मिलित की गई हैं, और यदि हां, तो उनका ब्यौरा क्या है ?

रेलवे तथा परिवहन उपमंत्री (श्री अलगेशन) : (क) एक विवरण सभा पटल पर रखा जाता है । [**देखिये परिशिष्ट ५, अनुबन्ध संख्या ६७**]

(ख) कुछ नहीं ।

रेलवे पर इन्टरलाकिंग प्रणाली

११८४. श्री रघुनाथ सिंह: क्या **रेलवे** मंत्री यह बताने की कृपा करेंगे कि :

(क) पूर्वोत्तर रेलवे के किन-किन जंक्शनों पर इन्टरलाकिंग (अन्तर्पास) प्रणाली है ; और

(ख) शेष स्टेशनों पर इसे लगाने की जो योजना बनाई गई है, उस पर कितना व्यय होने का अनुमान है ?

रेलवे तथा परिवहन उपमंत्री (श्री अलगेशन) : (क) सभा पटल पर एक विवरण रखा जाता है। **[देखिये परिशिष्ट ५, अनुबन्ध संख्या ६८]**

(ख) ५६ जंक्शन स्टेशन ऐसे हैं जहां अन्तर्पास की व्यवस्था अभी नहीं है। इन में से २१ स्टेशनों पर दूहरी पंचवर्षीय योजना में अन्तर्पास लगाने का विचार है। इस पर ७३ लाख रुपये की लागत का अनुमान है।

Ships

1185. Shri Matthen: Will the Minister of **Transport** be pleased to state:

(a) the number of ships that have been chartered for bringing foodgrains and other goods on Government account, from the beginning of the year till the end of November, and

(b) the rate at which they were chartered and the total amount of freight involved?

The Deputy Minister of Railways and Transport (Shri Alagesan): The required information is being collected and will be laid on the Table of the Sabha in due course.

गंगा-ब्रह्मपुत्र जल-परिवहन बोर्ड

११८६. श्री खू० च० सोधिया : क्या **परिवहन** मंत्री यह बताने की कृपा करेंगे कि :

(क) जैसा कि मंत्रालय के वर्ष १९५५–५६ के वार्षिक-प्रतिवेदन के पृष्ठ २४ पर उल्लिखित है, गंगा-ब्रह्मपुत्र जल-परिवहन बोर्ड के लिये कितने डीजल-चालित जलयानों का आर्डर दिया गया है;

(ख) यह आर्डर किस देश को दिया गया है;

(ग) इस बोर्ड के व्यय के लिये कौन-कौन सी राज्य-सरकारें अनुदान देती हैं और कितना-कितना; और

(घ) बोर्ड में कितने सदस्य और कितने उच्च कर्मचारी हैं और उनके वर्तमान वेतन-क्रम क्या हैं ?

रेलवे तथा परिवहन उपमंत्री (श्री अलगेशन) : (क) और (ख). एक घाट नाव को खरीदने के लिए आदेश देने का विचार है, जैसे ही विशेष विवरणों पर अन्तिम फैसला हो जायेगा इसके खरीदने के लिए आदेश दे दिया जायेगा।

(ग) उत्तर प्रदेश, पश्चिमी बंगाल, बिहार और आसाम की सर कारें में से हर एक, सालाना एक लाख रुपया देती है।

(घ) एक विवरण सभा की मेज पर रख दिया गया है। **[देखिये परिशिष्ट ५, अनुबन्ध संख्या ६९)**

Assistant Station Masters

1187. Shri Velayudhan: Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that vision-failed Assistant Station Masters and Station Masters are imported into commercial catagory who thus deprive the commercial clerks from getting their due promotion; and

(b) whether it is a fact that in Ferozepur Division some vision-failed Station Masters have been absorbed in commercial category in such a way that commercial clerks had to be reverted as a result thereof?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Yes. Such staff are assigned seniority below those who are in receipt of the same rate of pay in the grade on the date of their absorption. Promotion depends upon position in the seniority list and suitability.

(b) No.

Claims Tracers on Railways

1188. Shri Velayudhan: Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that persons working as claim tracers henceforth, are all general clerks and not qualified commercial clerks;

(b) whether it is a fact that such claims tracers are being promoted as Claims Inspectors; and

(c) whether it is a fact that the channel of promotion of Assistant Claims Inspectors and Claims Inspectors is exclusively meant for commercial clerks as per promotion charts issued by the Railway Board?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) No.

(b) No.

(c) The Railway Board have not issued any promotion charts.

Transit Allowance

1189. Shri Velayudhan: Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that transit allowance was being given as a compensatory pay for an extraordinary laborious type of work; and

(b) whether it is treated as pay for all purposes?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Yes; upto 31st July, 1948. on *ex*-E.P. portion of Northern Railway only.

(b) Yes; it was so treated.

Fodder

1190. Shri U. M. Trivedi: Will the Minister of **Food and Agriculture** be pleased to state:

(a) whether seeds of clusterbeans are used as a cattle fodder in Rajasthan and Gujerat;

(b) whether all the produce of clusterbeans seeds have been cornered by a newly started Gum factory; and

(c) whether Government have explored the possibility of utilising *punwar* seeds for gum manufacture to save the cattle fodder?

The Minister of Agriculture (Dr. P. S. Deshmukh): (a) Yes. Clusterbeans (guar seeds) is given as a concentrate feed for all livestock except horses in the different parts of the country, including Rajasthan and Gujerat. It is generally used as a cheap substitute for gram and is rich in proteins although it is less platable than other feeds like Arhar.

(b) No information is available whether all or some of the produce of guar seeds have been cornered by any gum factory although complaints have been received about large-scale exports of guar seeds from Rajasthan. The position is that guar-gum or the outer hull which is less nutritious than the guar germ is freely exportable although export of whole guar seeds and guar germ is prohibited. It is conceivable that firms outside Rajasthan might be breaking the guar seed into guar gum (guar hull) and guar germs so as to obtain the portion of the seed which is now exportable under the current export policy. Enquiries are now being made from Rajasthan Government about the reported large-scale exports and its effect on the utility of guar seeds as cattle feed so that the current policy of export of guar seeds might be re-examined.

(c) Presumable, by "punwar" seeds reference is to the weed which is called by the botanical name of "*Cassia Tora*". If so, no work has been done towards exploring the possibility of utilising these seeds for gum manufacture. In fact, these seeds, as far as is known, are not a source of gum.

All India Institute of Medical Sciences

1191. { **Shri Kamath:**
Dr. Jaisoorya:

Will the Minister of **Health** be pleased to state:

(a) whether the Chairman of the All India Institute of Medical Sciences has been appointed;

(b) if so, when;

(c) the name of the person so appointed together with his qualifications;

(d) the emoluments attached to the post;

(e) the procedure of selection and appointment; and

(f) the terms and conditions of appointment?

The Deputy Minister of Health (Rajkumari Amrit Kaur): (a) Yes, the President and *not* the Chairman, as referred to in the Question.

(b) 6th November, 1956.

(c) Rajkumari Amrit Kaur, Minister of Health.

(d) None so far. Under Section 8 of the All India Institute of Medical Sciences Act, 1956 (No. 25 of 1956) the President and members shall receive such allowances, if any, from the Institute as may be prescribed by rules made under Section 28(1) thereof. These rules have not yet been framed.

(e) The President is nominated by the Central Government from the members of the Institute other than the Director of the Institute.

(f) There are no specific terms and conditions for the appointment. The tenure of office of members, the various functions of the President etc. are already laid down in the Act.

Electrification on Railways

1192. **Shri Kajrolkar:** Will the Minister of **Railways** be pleased to state:

(a) the extent of electrification effected, so far, of the railway line on (i) the Western Railway; and (ii) the Central Railway;

(b) whether Government have any proposal to extend the electrification further; and

(c) if so, the details thereof and the approximate time by which it will be completed?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) to (c). A statement is placed on the Table of the House. [*See* Appendix V, annexure No. 70].

Underground Railway in Bombay

1193. **Shri Kajrolkar:** Will the Minister of **Railways** be pleased to state:

(a) whether Government have received any proposal for the construction of an underground railway in Bombay City;

(b) whether any survey has been undertaken by the Bombay Municipal Corporation for the said purpose; and

(c) if so, the result thereof, and the approximate cost involved in the construction of the railway?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) No.

(b) Not yet. It is understood from a press report that a technical investigation is being contemplated by the Bombay Municipal Corporation.

(c) Does not arise.

Pilgrimage-train

1194. **Shri Dhusiya:** Will the Minister of **Railways** be pleased to state:

(a) the name of the person who organised the pilgrimage-train which started from Delhi in the 3rd week of October, 1956.

(b) the number of pilgrims who actually travelled;

(c) the amount of money charged per pilgrim by the conducting authority and paid by the latter to the Railway Department against every one who thus travelled; and

(d) the names of medical personnel who were deputed along with that train for the welfare of those pilgrims?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) M/S. Chandra Finance and Travels (Private) Limited, Delhi.

(b) 305 III Class passengers and 34 1st Class passengers.

(c) The amount of money charged per pilgrim by the conducting authority was Rs. 155 for 3rd Class and Rs. 385 for 1st Class. The total amount paid to the Railways was Rs. 58,174/-.

(d) Dr. T. Bahadur of Lucknow was deputed by the organising authority to travel in the special train as the Medical Officer.

बामन्य रेलवे स्टेशन क स्टेशन मास्टर क विरुद्ध शिकायत

११९५. **श्री अमर सिंह डामर :** क्या रलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या बामन्या की जनता से कोई लिखित शिकायत प्राप्त हुई है जिसमें यह आरोप लगाया गया है कि पश्चिम रेलवे पर रतलाम के निकट बामन्या के स्टेशन मास्टर ने वहां के स्थानीय लोगों को अपनी वैध शिकायतें शिकायत-पुस्तक में दर्ज नहीं करने दी हैं; और

(ख) यदि हां, तो उस पर क्या कार्यवाही की गयी है ?

रेलव तथा परिवहन उपमंत्री (श्री अलगेशन) : (क) बामनिया के एक व्यापारी से इस बात की लिखित शिकायत मिली

थी कि बामनिया के स्टेशन मास्टर ने उसे शिकायत लिखने के लिए शिकायत की किताब देने से इन्कार कर दिया था ।

(ख) बामनिया के स्टेशन मास्टर के खिलाफ अनुशासन की कार्रवाई (disciplinary action) की गयी है ।

Reorganization of Law Section and Court Section of the Railways

1196. Pandit M. B. Bhargava: Will the Minister of **Railways** be pleased to state:

(a) whether a Law Section and a Court Section exist on all the Indian Railways;

(b) whether it is a fact that the Railway Board have issued directions to all the Railways for the re-organisation of their Law Sections and Court Sections;

(c) if so, what are the instructions;

(d) whether it is a fact that a post of Senior Scale Law Officer has been demanded by such of the Railways on which the Organisations did not exist so far;

(e) if so, whether the Railway Board has conveyed its sanctions;

(f) if not, the reasons therefor;

(g) whether any target date has been laid down by the Railway Board for bringing into existence the Law Section and Court Section on Railways where they do not exist; and

(h) if so, whether the Administration would consider the possibility of absorbing the railway staff having requisite legal qualifications and service experience on respective railways ?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Yes, except on Central Railway.

(b) Yes.

(c) A copy of Board's letter containing instructions is laid on the Table of the House. [*See* Appendix, V, annexure No. 71].

(d) Yes.

(e) No.

(f) Board have sanctioned a post of Law Officer in Class II on all Railways which they consider would meet the requirements.

(g) No.

(h) Yes, if they are found suitable having requisite legal qualifications and service experience.

Assessment of Municipal Taxation of Railway Property

1197. Pandit M. B. Bhargava: Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that the work of assessment of municipal taxation of Railway property is being done or supervised in the Law Section of the Northern and Eastern Railways; and

(b) if so, the reasons why the Law Section on the Western Railway has not been entrusted with this work?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Yes.

(b) The arrangement of having the assessment work under the Chief Engineer has worked satisfactorily on the Western Railway; there is no particular reason for having uniformity in a matter of this kind, since the assistance of the Law Section can always be obtained whenever necessary, irrespective of whether the assessment work is formally part of the Law Section or not.

Wireless Operating Branch on Western Railway

1198. Pandit M. B. Bhargava: Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that the percentage of graded posts of wireless Operating Branch is very low on the Western Railway in comparison with other branches (specially wireless technical side); and

(b) if so, the reasons therefor?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) and (b). The number of posts in the Wireless Operating Branch and the technical side have been sanctioned on the basis of duties and responsibilities and more posts in higher grades are required in the latter than in the former.

Quarters for Railway Employees

1199. Shri Debendra Nath Sarma: Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that majority of Class III and IV Railway employees of Amingaon, Pandu and Gauhati stations in the North Eastern Railway are yet to be housed in Railway quarters; and

(b) if so, whether Government propose to increase the number of quarters for them?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) No.

(b) Does not arise.

Drinking Water in Delhi

1200. Shri Kamath : Will the Minister of **Health** be pleased to state :

(a) whether the drinking water of Delhi is still over-chlorinated;

(b) if so, the reasons therefor; and

(c) when it will return to normalcy ?

The Minister of Health (Raj-Kumari Amrit Kaur) : (a) Yes; it is slightly over-chlorinated;

(b) Hundreds of labourers are working in water at the Intake works, just in front of the Intake wells, to remove silt from the river bed and as long as they have to work there, it is considered desirable to continue the excess dose of chlorine, which is not harmful.

(c) The excess dose will be discontinued as soon as the river settles down or when the use of manual labour at the wells is not required.

Medical Education

1201. Shri Kamath : Will the Minister of **Health** be pleased to state :

(a) whether Government propose to provide facilities for education in Ayurveda, Unani and Homoeopathic systems of medicine; and

(b) if so, the details of any Plan or Scheme in connection therewith ?

The Minister of Health (Rajkumari Amrit Kaur) : (a) Yes.

(b) Under the Second Five Year Plan a provision of Rs. 100 lakhs has been made in the Central Plan for the development of the Ayurvedic, Unani & Homoeopathic Systems of Medicine. Grants will be given through State Governments for the purpose of upgrading educational institutions in these Systems of Medicine.

The Government of India in association with the former State of Saurashtra have already established a Post-Graduate Training Centre in Ayurveda at Jamnagar in July 1956 to provide facilities for post-graduate training in Ayurveda. The Centre will have a full time staff of its own and a hospital with fifty beds which will be enlarged to contain 100 beds. 25 Students are proposed to be taken for training to start with and the training will be entirely along Ayurvedic lines.

The Government of India have sanctioned a sum of Rs. 38,020/- to the Government of Bombay for starting a Post-graduate Training Centre in Homoeopathy at the Government Homoeopathic Hospital Sion, Bombay. Further, a grant of Rs. 1,49,890/- was sanctioned for upgrading the Calcutta Homoeopathic Medical college to the Degree Standard.

A provision of Rs. 5·5 crores has also been made in the Second Five Year Plans of States for the developement of these systems of medicine. The schemes of State Governments are expected to include *inter alia* the expansion of existing colleges and the starting of five new Ayurvedic Colleges.

Railway Overbridge at Anantapur

1202. Shri Lakshmayya : Will the Minister of **Railways** be pleased to state :

(a) whether the Municipality of Anantapur, in Andhra has sent a resolution to Government that they would bear the costs of construction of an over-bridge or under-bridge as proposed at the level crossing of the railway line in the heart of the town and made representation to the Railway Board to construct the bridge, which is absolutely necessary to facilitate the people and the traffic to pass freely ;

(b) if so, whether Government propose to construct the said bridge; and

(c) whether Government propose to grant loan to the Municipality to meet its share of costs for the construction ?

The Deputy Minister of Railways and Transport (Shri Alagesan) : (a) Government have no such information.

(b) The railway level crossing at mile 42/11-12 near Anantapur Railway Station is included in the list of Level Crossings recommended by the Government of Andhra for replacement by overbridges and the work will be taken up in due course.

(c) Does not arise in view of reply to (a) above.

Level Crossing in Anantapur Town

1203. Shri Lakshmayya : Will the Minister of **Railways** be pleased to state :

(a) whether the Municipality of Anantapur (Andhra) has made a representation to put up a new level crossing at a place, one furlong away from the Railway Station towards north to facilitate the people to pass freely across the Railway lines between Garladinna and Anantapur and

(b) whether Government have taken into consideration the necessity of putting up this level to cross the lines ?

The Deputy Minister of Railways and Transport (Shri Alagesan) : (a) and (b). At the instance of the Anantapur Municipality, it was originally decided to provide a 12 ft. manned level crossing on the Northern side of Anantapur Railway Station. The Municipality agreed to bear the initial cost of the above proposal but declined to bear the annual maintenance charges thereof.

Meanwhile, the proposal had to be revised.

The Municipality had been advised to convey their acceptance of the revised charges in August '56 but their reply has not been received so far.

Sale of the "Current" at Railway Bookstalls

1204. **Shri M. S. Gurupadaswamy:** Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that the Public Relation Officer of South Eastern Railway recently issued instructions to Wheelers' Railway Bookstalls not to sell the 'Current', a Bombay Weekly News Magazine;

(b) if so, when and on what grounds;

(c) whether he subsequently revoked the said instructions ; and

(d) if so, when and in what circumstances ?

The Deputy Minister of Railways and Transport (Shri Alagesan) : (a) and (c). Yes.

(b) and (d). The instructions under reference were issued by the Public Relations Officer on 6-9-56 due to misunderstanding, and these instructions were cancelled by him on 24-9-56 when the correct position was appreciated.

Railway Connection from Ichal-Karanji to Kolhapur-Miraj Line

1205. **Shri Kajrolkar** : Will the Minister of **Railways** be pleased to state:

(a) whether a representation has been received by Government from the Maharashtra Chamber of Commerce, Poona, requesting to connect Ichal-Karanji instead of Hathkanangale to the broad-gauge line to be laid between Kolhapur and Miraj on account of the industrial and commercial importance of Ichal-Karanji; and

(b) if the reply to part (a) be in the affirmative, what steps Government propose to take in the matter ?

The Deputy Minister of Railways and Transport (Shri Alagesan) : (a) Yes.

(b) An estimate for Preliminary Engineering and Traffic Surveys for conversion of Kolhapur Miraj M.G. section into B.G. has been called for from the Central Railway. The question of connecting Ichal-Karanji instead of Hathkanangale has been noted for consideration during the survey.

Scheduled Castes and Scheduled Tribes Officers on Railways

1206. **Shri Kajrolkar** : Will the Minister of **Railways** be pleased to lay a statement on the Table showing the number of officers belonging to Scheduled Castes and Scheduled Tribes in Class I and Class II Services in the Railways at present ?

The Deputy Minister of Railways and Transport (Shri Alagesan) : A statement is laid on the Table of the House. [*See* Appendix V, annexure No. 72.]

Foodgrains

1208. **Sardar Akarpuri** : Will the Minister of **Food and Agriculture** be pleased to state :

(a) the normal offtake of foodgrains from Government stocks, State-wise during the last one year;

(b) whether there is any indication of anti-social activities by the traders in respect of the foodgrains sold by Government; and

(c) if so, whether there are any checks ?

The Deputy Minister of Food (Shri M. V. Krishnappa) : (a) A statement is placed on the table of Lok Sabha showing the quantities of foodgrains issued from Government stocks in each State during the period from 1st December, 1955 to 30th November, 1956. [*See* Appendix, V, annexure No. 73] .

(b) and (c). Some reports about leakage of Government foodgrains from fair price shops have been received and the State Governments have been requested to keep strict watch on the functioning of these shops and arrange for their frequent inspection so as to ensure that foodgrains issued from Government stocks reach the consumers at prescribed prices.

Mail Trains to Bhopal

1209. **Shri A. C. Joshi** : Will the Minister of **Railways** be pleased to state, whether in view of the formation of the new State of Madhya Pradesh Government would consider the feasibility of running two mail trains direct upto Bhopal, one from Manikpur *via* Satna and the other from Bilaspur *via* Shahdol Katni and linking other distant parts of Madhya Pradesh to Bhopal generally by running through trains ?

The Deputy Minister of Railways and Transport (Shri Alagesan) : It is not feasible to introduce two mail trains direct upto Bhopal, one from Manikpur *via* Satna and the other from Bilaspur *via* Katni due to paucity of coaching stock and locomotives and inadequate line capacity between Katni and Manikpur and Katni and Bilaspur.

Railway Booking Agencies in Delhi

1210. Shri Velayudhan : Will the Minister of **Railways** be pleased to state:

(a) the number of city booking agencies in Delhi;

(b) who are the agents that have taken their agencies;

(c) whether it is a fact that the Delhi-Subzimandi Booking Agency is given to a single person for years together; and

(d) what is the difficulty in taking it over by Government itself ?

The Deputy Minister of Railways and Transport (Shri Alagesan) : (a) Seven.

(b) A statement is laid on the Table of the House. [*See* Appendix V, annexure No. 74]

(c) The contract for the Delhi-Subzimandi City Booking Agency has been held by M/s. Ramlal Jaggi & Sons since 1-12-53, the date of its opening.

(d) No necessity has arisen to consider the question of taking over this agency for departmental working.

Improvement of Stations on Katni-Bilaspur Line

1211. Shri A. C. Joshi : Will the Minister of **Railways** be pleased to state whether Government are taking or propose to take appropriate steps to improve the Railway Station Buildings and Railway platforms at Chandia, Umaria Birsingpur, Shahdol, Burhar, Anuppur in Katni Bilaspur line of the Eastern Railway ?

The Deputy Minister of Railways and Transport (Shri Alagesan) : These stations are on the South Eastern Railway. There is no proposal for improvement of station buildings and platforms at these stations except at Shahdol where provision for separate rooms for station master and booking and parcel office is under consideration. Umaria and Chandia Road stations are already provided with high level platforms.

Flood Relief Measures in Delhi

1212. Shri Kamath : Will the Minister of **Food and Agriculture** be pleased to refer to the Statement laid on the Table in answer to Starred Question No. 1020 on the 11th December, 1956 and state;

(a) why the statement is blank with regard to relief measures taken in Delhi State;

(b) whether any measures have since been taken; and

(c) if not, the reasons therefor ?

The Deputy Minister of Food (Shri M. V. Krishnappa) : (a) to (c). The Delhi Adiministration had not then furnished the necessary information. The requisite information has since been obtained and is as under :—

Financial assistance	*Nature of relief measure*
(i) Rs. 25,000/-	Evacuation of persons and cattle from the marooned areas and other relief operations.
(ii) Rs. 4,00,000/-	Loans given for fodder and seed taccavi.

In addition recovery of Taccavi Loan to the extent of Rs. 2 lakhs has been deferred.

Foodgrain Prices

1213. Shri Kamath : Will the Minister of **Food and Agriculture** be pleased to state :

(a) whether it is a fact that in early September, 1956 he confidently forecast in Parliament an appreciable fall in foodgrain prices within a fortnight or so;

(b) whether this has not proved to be so; and

(c) if so, the reasons therefor ?

The Deputy Minister of Food (Shri M. V. Krishnappa) : (a) to (c). The prices did record a fall in September, but unfortunately exceptionally heavy floods in that month caused considerable damage to crops and reversed the downward trend of prices. The deterioration in the international situation culminating in the blocking of the Suez Canal further seriously upset the market, and the anticipated fall in prices did not materialise.

Tuticorin Express Accident

1214. **Shri Kamath :** Will the Minister of **Railways** be pleased to state :

(a) whether Government propose to appoint Members of Parliament as associates or assessors in connection with the judicial enquiry into the Tuticorin Express accident; and

(b) if not, the reasons therefor ?

The Deputy Minister of Railways and Transport (Shri Alagesan) : (a) and (b). The enquiry into the accident to No. 603 Down Tuticorin Express between Ariyalur and Kallagam on 23-11-1956 is being conducted by a Commission of Inquiry, consisting of Shri Himansu Kumar Bose, a Judge of the High Court at Calcutta, as its sole member. He is assisted by two Assessors to assist and advise the Commission on technical matters. The Government do not propose to associate Members of Parliament with the Commission as such Members, who have personal knowledge about the accident, can give evidence before the Commission.

Railway Accident Enquiry Committee

1214A. **Shri Kamath :** Will the Minister of **Railways** be pleased to state:

(a) whether the Railway Accidents Enquiry Committee appointed sometime ago under the Chairmanship of Shri Shah Nawaz Khan, Deputy Minister fo Railways, has submitted its report; and

(b) if so, whether it will be laid on the Table of the Sabha; and

(c) if not, the reasons therefor ?

The Deputy Minister of Railways and Transport (Shri Alagesan) : (a) to (c). The Report of the Railway Accidents Enquiry Committee—1954 was received on 30th April, 1954. As the report as a whole was not accepted by Government, a Reviewing Committee was appointed to review the Report of the Railway Accident Enquiry Committee. The report of the Reviewing Committee has already been released and ito copies have been placed in the Library of the House. This Reviewing Committee's Report embodies each and every recommendation observation of the Railway Accidents Enquiry Committee—1954, the consensus of opinion of the General Manager of all railways and also the considered obeservations and recommendations of the Reviewing Committee.

Along with this Report of the Reviewing Committee, a Memorandum, of the Ministry of Railways, containing *inter alia* their observation and decisions on the various recommendations of the Reviewing Committee, and *ipso facto* those of the original committee as well, was also released and its copies were placed in the library of the House.

In view of the above it was not considered necessary to release the original report. The report, however, will be placed in the Library of the House on 21-12-1956.

DAILY DIGEST

[*Wednesday, 19th December, 1956*]

ORAL ANSWERS TO QUESTIONS.... 1699-1728

S. Q. No.	*Subject*	COLUMNS
1334.	Delhi Junction Station	1699
1337.	Committees for Roads and Railways.	1699-1701
1337-A	Eastern Region Floods	1701-02
1338.	Rockefeller Foundation	1702-03
1339.	Foreign Butter and Butter Oil	1703-05
1340.	Express Goods Train Service	1705-06
1341.	Rise in Foodgrains Prices in Tripura	1706-08
1342.	Assistance to Displaced T.B. Patients	1708-09
1343.	Power Generation	1709-11
1344.	Geonkhali Port	1711-12
1345.	Automatic Ticket Machine	1712-14
1347.	Second Five Year Plan for Kerala	1714-15
1348.	Rural University	1715-17
1349.	Railway Freight for Coal	1717-19
1352.	Schools in Railway Colonies	1719-20
1353.	Inter-State Navigation Canal	1720-21
1354.	Transport Difficulties	1721-22
1355.	Indo-Pakistan Traffic	1722-23
1356.	Harnessing of Godavari River	1723-24
1358.	International Labour Organisation Preparatory Technical Maritime Conference	1724
1360.	Tuticorin Express Accident	1725-26

S.N.Q. No.		
12.	Subsidence of Railway line between Mugma and Futka Stations	1726-27
13.	Indian Seamen.	1727-28

WRITTEN ANSWERS TO QUESTIONS..... 1728-1804

S.Q.No.	*Subject*	COLUMNS
1331.	Drought Conditions in Mysore	1728
1332.	Flood Damage to Canals	1728-29
1333.	Ahmedabad Railway Station	1729
1335.	Imported Coal at Madras Port	1729-30
1336.	Import of Heavy Machinery	1730
1346.	Training of Indian Personnel in Russia	1730
1350.	Nagarjunasagar Project	1730-31
1351.	Regional Survey of Timber Trends	1731
1354-A.	Alleged beating of Station Master at Dungargarh	1731-32
1357.	Delhi Transport Service	1732
1359.	Vamsadhara River Project	1732-33
1361.	Tourism	1733
1362.	Ban on Cow Slaughter in Manipur	1734
1363.	Railway Selection Boards	1734-35
1364.	Diva-Dasgaon Railway Line	1735
1365.	Satna-Rewa-Govindgarh Railway Line	1735-36
1366.	Suspension of Railwaymen at Kharagpur	1736
1367.	Passenger Amenities	1736
1368.	Purchase of Ships.	1737
1369.	Production of Coaches and Wagons	1737
1370.	Tax on Bamboos in Tripura	1737-38
1371.	'Mahua' Cake Manure	1738
1372.	"Fare Racket" in D.T.S.	1738
1373.	Nagarjunasagar Project	1739
1374.	Food and Agriculture Organisation	1739
1375.	Passenger Amenities	1739-40
1376.	Delhi Road Transport Authority	1740
1377.	Maintenance of Records	1741
1378.	All India Institute of Medical Sciences	1741-42
1379.	Rail Transport for Oil in Assam	1742
1380.	Regional Centre on Agricultural Financing and Credit for Asia and Far East	1742-43

WRITTEN ANSWERS TO QUESTIONS —*contd*

S. Q. No.	*Subject*	COLUMNS
1381.	Smuggling of Wheat to Goa and Pakistan	1743
1382.	Grants for Road afrom Roorkee to Badrinath	1743-44
1383.	Ships	1744-45
1384.	Refrigerator Vans	1745
1385.	T. B. Hospitals	1745-46
1386.	Timber Survey	1746
1387.	International Congress on Traffic	1746
1388.	Accident to Railway Steamer	1746-47
1389.	Bridges in Purnea	1747
1390.	Tourist Traffic	1747
1391.	Kharagpur Accident	1747-48
1392.	Community Development and N.E.S. Blocks	1748

U.S.Q. No.	*Subject*	COLUMNS
1100.	Conference of Railway Officers	1749
1101.	Kandla Port	1749
1102.	Octroi Post at Dalmia Dadri	1749-50
1103.	Labour Unions	1750-51
1104.	Large-sized Co-operative Societies	1751
1105.	Land Tax	1751
1106.	Fruit Production in Kerala State	1752
1107.	Colonisation Schemes	1752
1108.	National Extension Service Block for Kamalpur	1753
1109.	Pirkai Chara Bridge	1753
1110.	Jubbalpur-Itarsi Railway Line	1754
1111.	Exploratory Tube-wells	1754
1112.	Tube-wells	1754
1113.	Bombay Central Bridge	1755
1114.	Tube-wells	1755
1115.	Tube-wells	1755-56
1116.	Leper Colony, Imphal	1756
1117.	B.C.G. Team in Manipur	1756-57
1118.	Leprosy Control in Manipur	1757
1119.	Itarsi Junction	1757
1120.	Tube-wells	1757-58
1121.	Development Projects in Uttar Pradesh	1758-59
1123.	Railway Quarters	1759
1124.	Indigenous Systems of Medical	1760
1125.	Gosadans	1760
1126.	Stock of Powdered Milk	1760
1128.	Electrification	1761
1129.	Overbridge at Jaipur	1761
1130.	Railway Service Commission	1761-62
1131.	Panchhkura Railway Station	1762
1132.	Rolling Stock	1762-63
1134.	First Five Year Plan	1763
1135.	Import of Food Grains	1764
1136.	Evaluation Reports	1764
1137.	Cancer	1765
1138.	Catering Contractors	1765-66
1139.	Railway Bridge in Malabar	1766
1140.	Tenancy Laws in Kerala	1766-67
1141.	'Punam' Land in Kerala State	1767
1142.	River Valley Projects	1767
1143.	Vamsadhara River Projects	1767-68
1144.	Overbridge at Amingaon	1768
1145.	Railway Service Commission	1768
1146.	Rural Electrification in Andhra	1768-69
1147.	Ticket Collectors	1769
1148.	Punctuality of Trains	1770-71
1149.	Incident at Rajahmundry Station	1771
1150.	Passenger Guides on Kalihar Siliguri	1771
1151.	Drinking Water at Stations	1771-72
1152.	Shuttle Train between Purnea and Kishanganj Stations	1772
1153.	Passenger Amenities, Siliguri	1772
1154.	Shed Cover at Purnea Station	1773
1155.	Kishanganj Station	1773
1156.	Electricity from Coal	1774
1157.	Railway Catering and Vending Workers' Union	1774-75
1158.	Railway Workshop Tech-	

WRITTEN ANSWERS TO QUESTIONS—*contd.*

U.S.Q. No.	*Subject*	COLUMNS
1159.	Claims of Landowners on Railways	1775
1160.	Hospitals in Delhi State	1776
1161.	Indian Seamen . .	1776
1162.	Indian Seamen . .	1776-77
1163.	Railway Wireless Operators	1777
1164.	Railway Wireless Operators	1777-78
1165.	Accidental Death of a Catering Employees .	1778
1166.	Railway Staff . .	1778
1167.	Appeals of Railway Staff	1779
1168.	Gorakhpur Railway Station . . .	1779
1169.	Cancellation of Trains on N.E. Railway .	1779-80
1170.	*Per Capita* Milk Consumption in West Bengal . . .	1780
1171.	Anti-Malaria Work .	1780-81
1172.	"Jail Bharat Special" Train	1781
1173.	Indians Murdered in a Steamship . . .	1781-82
1174.	Tibetan Boarder Areas	1782-83
1175.	Telephones at Railway Stations . . .	1783
1176.	Derailment of Trains .	1784
1177.	Promotion of Railway Employees to Officer Cadre . . .	1784-85
1178.	Planning Commission's Meeting . . .	1785
1179.	Roads in Hill Areas .	1785-86
1180.	Roads in U. P. . .	1786
1181.	Bridges in U.P. . .	1787
1182.	Central Road Fund .	1787-88
1183.	Village Roads . .	1788
1184.	Inter-locking System on Railways	1789
1185.	Ships	1789
1186.	Ganga-Brahmaputra Water Transport Board .	1789-90
1187.	Assistant Station Masters	1790
1188.	Claims Tracers on Railways . . .	1791
1189.	Transit Allowance .	1791
1190.	Fodder	1791
1191.	All India Institute of Medical Sciences .	1791-93
1192.	Electrification on Railways . . .	1793
1193.	Underground Railway in Bombay . .	1793
1194.	Pilgrimage-train . .	1794
1195.	Complaint against Station Master of Bamnia Railway Station . .	1794-95
1196.	Reorganization of Law Section and Court Section of the Railways .	1795
1197.	Assessment of Municipal Taxation of Railway Property . .	1796
1198.	Wireless Operating Branch on Western Railway . . .	1796
1199.	Quarters for Railway Employees . .	1796-97
1200.	Drinking Water in Delhi	1797
1201.	Medical Education .	1797-98
1202.	Railway Overbridge at Anantapur . . .	1798
1203.	Level Crossing in Anantapur Town . . .	1798-99
1204.	Sale of the "Current" at Railway Bookstalls	1799
1205.	Railway Connection from Ichal Karanji to Kolhapur-Miraj Line .	1799-1800
1206.	Scheduled Castes and Scheduled Tribes Officers on Railways .	1800
1208.	Foodgrains . . .	1800
1209.	Mail trains to Bhopal .	1800-01
1210.	Railway Booking Agencies in Delhi . .	1801
1211.	Improvement of Stations on Katni-Bilaspur Line	1801-02
1212.	Flood Relief Measures in Delhi	1802
1213.	Foodgrain Prices .	1802-03
1214.	Tuticorin Express Accident	1803
1214-A.	Railway Acciden tEnquiry Committee .	1803-04

Wednesday
19th December, 1956

LOK SABHA
DEBATES

(Part II—Proceedings other than Questions and Answers)

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CONTENTS

[Part II Debates, Volume X, 5th December to 22nd December, 1956.]

No. 16—Wednesday, 5th December, 1956 *Columns*

Papers laid on the Table . . . . 1919—22
Vacation of seat of a Member . . . 1922—36
Central Sales Tax Bill—
  Motion to consider . . . . 1936—60
  Clauses 2 to 16 and 1 . . . . 1960—72
  Motion to pass as amended . . . . . . 1972—74
Representation of the People (Fourth Amendment) Bill—
  Motion to consider . . . . ✓ 1974—84
  Clauses 2, 3 and 1 . . . . 1982—87
  Motion to pass as amended 1987
Finance (No. 2) Bill and Finance (No. 3) Bill—
  Motion to consider . . . . 1987—92
Motion *re* Report of Government Inspector of Railways on Derailment of 319 Down Express . . . . 1992—2054
Committee on Private Members' Bills and Resolutions—
  Sixty-fifth Report 2054
Message from Rajya Sabha . . . . 2054—56
Daily Digest 2057-58

No. 17—Thursday, 6th December, 1956

Death of Dr. Ambedkar . . . . 2059—68
Daily Digest 2069-70

No. 18—Friday, 7th December, 1956

Papers laid on the Table . . . . 2071—72
Demands for Supplementary Grants . . 2072
Message from Rajya Sabha . . . 2072
Business Advisory Committee—
  Forty-fourth Report 2072-73
Business of the House . . . . 2073—78
Banking Companies (Amendment) Bill—Introduced . . 2078-79
Finance (No. 2) Bill and Finance (No. 3) Bill—
  Motion to consider . . . . 2079—2132
Committee on Private Members' Bills and Resolutions—
  Sixty-fifth Report . . . . 2132—35
Beedi and Cigar Labour Bill—Introduced 2135
Ancient and Historial Monuments and Archaeological Sites and Remains (Declaration of National Importance) Amendment Bill—
  Motion to consider as passed by Rajya Sabha . . 2135—55
Hindu Marriage (Amendment) Bill—
  Motion to consider as passed by Rajya Sabha 2157-58
  Clauses 1 and 2 2158
  Motion to pass 2158

Columns

- Women's and Children's Institutions Licensing Bill—
  - Motion to consider as reported by Select Committee . . . 2158—83
  - Clauses 2 to 12 and 1 . . . 2183
  - Motion to pass as amended . . . 2183—88
- Motor Transport Labour Bill—
  - Motion to consider . . . 2189—96
- Daily Digest . . . 2197-98

No. 19— Saturday, 8th December, 1956

- Motion for adjournment—
  - Buddha Jayanti Samiti, Sarnath . . . 2199—2202
  - Business of the House . . . 2203, 2320—2
- Standards of Weights and Measures Bill—
  - Motion to consider as reported by Joint Committee . . . 2203—64
  - Clauses 2 to 18 and 1 and Schedules I and II . . . 2264—71
  - Motion to pass as amended . . . 2271
- Road Transport Corporations (Amendment) Bill—
  - Motion to consider . . . 2271—94
  - Clauses 2, 3 and 1 . . . 2294—95
  - Motion to pass . . . 2295
- Employees' Provident Funds (Amendment) Bill—
  - Motion to consider . . . 2295—2319
  - Clauses 2 to 6 and 1 . . . 2319-20
  - Motion to pass . . . 2320
- Daily Digest . . . 2323-24

No. 20—Monday, 10th December, 1956

- Papers laid on the Table . . . 2325—25
- Demands for Supplementary Grants—Railways . . . 2327
- President's Assent to Bill . . . 2327
- Business Advisory Committee—
  - Forty-fifth Report . . . 2328
- Representation of the People (Miscellaneous Provisions) Bill—Introduced . . . 2328-29
- Indian Medical Council Bill—
  - Motion to consider as passed by Rajya Sabha . . . 2329—2419
  - Clauses 2 to 34, clause 1 and the Schedules . . . 2418—57
  - Motion to pass as amended . . . 2459—65
- Electricity Supply (Amendment) Bill—
  - Motion to consider as reported by Select Committee . . . 2466—76
- Half-an-hour Discussion *re* Indian Trade Unions (Amendment) Act, 1947 . . . 2476—86
- Daily Digest . . . 2487—90

No. 21—Tuesday, 11th December, 1956

- Papers laid on the Table . . . 2491-92
- Electricity (Supply) Amendment Bill—
  - Motion to consider as reported by Select Committee . . . 2492—2553
  - Clauses 2 to 29 and 1 . . . 2553—73
  - Motion to pass as amended . . . 2574
- Finance (No. 2) Bill and Finance (No. 3) Bill—
  - Motion to consider . . . 2574—2630

Columns

Business of the House . . . . 2630—32
Half-an-hour Discussion *re* Central College of Agriculture . . 2632—36
Daily Digest 2637-38

No. 22—Wednesday, 12th December, 1956

Papers laid on the Table . . . . 2639—41
Statement *re* Flood Situation in the Country . . . . 2641—44
Committee on Private Members' Bills and Resolutions —
  Sixty-sixth Report 2644
Petition *re* Sadhus and Sanyasis (Registration and Licensing) Bill . . . 2645
Business Advisory Committee—
  Forty-fifth Report 2645-46
Business of the House 2647-48
Finance (No. 2) Bill and Finance (No. 3) Bill—
  Motions to consider . . . . 2648—2746
Finance (No. 2) Bill—
  Clauses 2 to 4 and 1, Schedules I and II . 2747—55
  Motion to pass 2756
Finance (No. 3) Bill—
  Clauses 2 to 8 and 1 . . . . 2756—81
  Motion to pass as amended 2781
Half-an-hour Discussion *re* Cultural Delegation to U.S.S.R and East Europe . 2781—96
Daily Digest 2797-98

No. 23—Thursday, 13th December, 1956

Papers laid on the Table . . . . 2799—2801
Point of Information 2802
Motions *re* Modification of Life Insurance Corporation Rules . . . . . 2802—51, 2864—67
Hindu Adoptions and Maintenance Bill—
  Motion to consider as passed by Rajya Sabha . 2851—64, 28647—2907, 2908-09, 2909—46
Business of the House 2907-08
Business Advisory Committee —
  Forty-sixth Report 2946
Daily Digest 2947-48

No. 24—Friday, 14th December, 1956

Business of the House 2949-50, 3079-80
Messages from Rajya Sabha 2950-51
Press Council Bill—
  Laid on the Table as passed by Rajya Sabha 2951
Petition *re* Sadhus and Sanyasis (Registration and Licensing) Bill . 2951-52
Estimates Committee—
  Thirty-fourth Report 2952
Kerala State Legislature (Delegation of Powers) Bill—Introduced . . 2952
Territorial Councils Bill—Introduced 2952-53
Union Duties of Excise (Distribution) Amendment Bill—Introduced . . 2953
Hindu Adoptions and Maintenance Bill—
  Motion to consider as passed by Rajya Sabha . . . . 2953—93
  Clauses 2 to 30 and 1 . . . . 2993—3052
  Motion to pass 3052

Columns

Committee on Private Members' Bill and Resolutions—
  Sixty-sixth Report . . . 3052
Resolution *re* Scholarships for Children of Political Sufferers . . . 3052—79, 3080—3109, 3109—13
Rules Committee—
  Sixth Report . . . 3109
Resolution *re* Nationalisation of Tea Industry . . . 3113—20
Daily Digest . . . 3121-22

No. 25—Monday, 17th December, 1956

Papers laid on the Table . . . 3123—25
President's assent to Bills . . . 3126
Messages from Rajya Sabha . . . 3126-27
Business Advisory Committee—
  Forty-sixth Report . . . 3128—30
Central Excises and Salt (Second Amendment) Bill—Introduced. . . . 3131
Demands for Supplementary Grants, 1956-57 . . . 3132—3253
Discussion *re* fixation of pay scales and other service conditions of employees of Life Insurance Corporation . . . 3253—3322
Daily Digest . . . 3323—26

No. 26—Tuesday, 18th December, 1956

Statement *re* formation of a Rupee Oil Company in Assam . . . 3327-30
Papers laid on the Table . . . 3330—32
Message from Rajya Sabha. . . . 3332-33
Faridabad Development Corporation Bill—
  Laid on the Table as returned by Rajya Sabha with amendment . . . 3333
Committee on Absence of Members—
  Nineteenth Report . . . 3333
Point of information . . . 3334
Demands for Supplementary Grants, 1956-57 . . . 3334—64
Business of the House . . . 3364-65
Appropriation (No. 5) Bill—Introduced . . . 3384
Demands for Supplementary Grants (Railways), 1956-57 and Demands for Excess Grants (Railways), 1953-54 . . . 3384—3458
Appropriation (Railways) No. 6 Bill—Introduced . . . 3458-59
Appropriation (Railways) No. 7 Bill—Introduced . . . 3459
Representation of the People (Miscellaneous Provisions) Bill—
  Motion to consider . . . 3459—82
  Clauses 2 to 5 and 1 . . . 3482—90
  Motion to pass . . . 3490—92
Motion *re* Representation of the the People (Conduct of Elections and Election Petitions) Rules . . . 3492—3524
Daily Digest . . . 3525—28

No. 27—*Wednesday, 19th December, 1956*

Statement *re* allegations of callousness at Ariyalur Train Accident . . . 3529—33
Papers laid on the Table . . . 3533-34
Messages from Rajya Sabha . . . 3534-35
Committee on Private Members' Bills and Resolutions—
  Sixty-Seventh Report . . . 3535
Estimates Committee
  Thirty-eighth Report . . . 3535

Columns

Leave of Absence . . . . 3535—38
Statement *re* broadcasting facilities for political parties . 3538—42
Appropriation (No. 5) Bill—
  Motions to consider and pass . . 3543
Appropriation (Railways) No. 6 Bill—
  Motions to consider and pass . . . 3543—44
Appropriation (Railways) No. 7 Bill—
  Motions to consider and pass . . . . . . 3544—45
Kerala State Legislature (Delegation of Powers) Bill—
  Motion to consider . . . . 3545—84
  Clauses 2, 3 and 1 . . . . 3584—86
  Motion to pass 3586
Union Duties of Excise (Distribution) Amendment Bill—
  Motion to consider . . . . 3587—93
Central Excises and Salt (Second Amendment) Bill—
  Motion to consider . . . . 3593—3650
  Clauses 2 and 1 . . . . 3650—65
  Motion to pass as amended . . . . . 3665—76
Business Advisory Committee—
  Forty-seventh Report 3697
Discussion *re* Floor and Ceiling Prices of Indian Cotton . . . . . . 3677—3702
Daily Digest . . . . 3703—06

No. 28—Thursday, 20th December, 1956

Papers laid on the Table . . . . 3707—08
Messages from Rajya Sabha . . . . 3708—10
Delhi (Control of Building Operations) Continuance Bill—Laid on the Table as passed by Rajya Sabha 3710
Slum Areas (Improvement and Clearance) Bill—Laid on the Table as passed by Rajya Sabha 3710
Delhi Tenants (Temporary Protection) Bill—Laid on the Table as passed by Rajya Sabha 3710
Committee on Petitions—
  Eleventh Report 3710
Procedure *re* reply to Questions on behalf of Ministers 3710
Statement *re* Buddha Jayanti Samiti, Sarnath . . . . 3711—12
Business Advisory Committee—
  Forty-seventh Report . . . . 3713—14
Union Duties of Excise (Distribution) Amendment Bill—
  Motion to consider . . . . 3714—30
  Clauses 2 and 1 3730
  Motion to pass 3730
Territorial Councils Bill—
  Motion to consider . . . . . . 3730—71
  Clauses 2 to 66, Schedule and clause 1 . . 3771—3828
  Motion to pass as amended . . . 3828—34
Banking Companies (Amendment) Bill—
  Motion to consider . . . . 3834—60
Motion *re* Appointment of High Power Commission on Safety in Coal Mines . 3860—82
Daily Digest . . . . 3883—86

No. 29—Friday, 21st December, 1956

Columns

Motion for Adjournment—
  Relief measures in flood-affected areas of Eastern U.P. 3887—90
Papers laid on the Table 3890—91
Messages from Rajya Sabha, *re* Ariyalur Train Disaster 3891, 3892—97
Estimates Committee—
  Thirty-fifth to Thirty-seventh and Fortieth Reports 3897
Business of the House 3897—99
Leave of Absence 3899—3903
Banking Companies (Amendment) Bill—
  Motion to consider 3904—54
  Clauses 2 to 14, Schedule and Clause 1 3954—4003
  Motion to pass as amended 4003
Committee on Private Members' Bills and Resolutions—
  Sixty-seventh Report 4004
Old and Infirm Persons' Homes Bill—Introduced 4004
Motor Transport Labour Bill—
  Motion to consider 4005—30
Rules Committee—
  Seventh Report 4030
Code of Civil Procedure (Amendment) Bill—
  Motion to consider 4031—66
Daily Digest 4067—70

No. 30—Saturday, 22nd December 1956

Motions for Adjournment 4071—78
  Appointment of a Second Pay Commission 4071—74
  Closure of cashewnut factories in Kerala 4074—78
Papers laid on the Table 4078—79
Messages from Rajya Sabha 4080—85, 4272—75
President's assent to Bills 4085—86, 4273
Estimates Committee—
  Thirty-ninth and Forty-first to Forty-third Reports 4086
Committee on Subordinate Legislation—
  Sixth Report 4086
Calling attention to Matter of Urgent Public Importance—
  Fair Price Shops in Kerala 4087—88
Rules Committee—
  Seventh Report 4088
Personal Explanation by a Member *re* Paper laid on the Table 4089—91
Business of the House 4092
Faridabad Development Corporation Bill—
  Amendment made by Rajya Sabha agreed to 4092—4113
Delhi (Control of Building Operations) Continuance Bill—
  Motion to consider as passed by Rajya Sabha 4113—33
  Clauses 2 and 1 4133
  Motion to pass 4133
Slum Areas (Improvement and Clearance) Bill—
  Motion to consider as passed by Rajya Sabha 4134—4213

Columns

Clauses 2 to 40, The Schedule and Clause 1 . . . . 4213—15
Motion to pass 4215

Delhi Tenants (Temporary Protection) Bill—

Motion to consider as passed by Rajya Sabha . . . 4215—69
Clauses 2 to 5 and 1 . . . . 4269—70
Motion to pass 4270

Committee on Assurances

Third Report 4242
Resignation of a Member 4242

Delivery of Books (Public Libraries) Amendment Bill—

Motion to consider and pass . . . . 4270—72
Motion *re* Report of U.P.S.C. . . . . 4273—4308
Daily Digest . . . . 4309—14
Resume of the 14th Session . . . . 4315—18
Index . . . . 1—33

LOK SABHA DEBATES

Dated 23.10.3.20

(Part II—Proceedings other than Questions and Answers)

LOK SABHA

Wednesday, 19th December, 1956

The Lok Sabha met at Eleven of the Clock.

[MR. SPEAKER *in the Chair*].

QUESTIONS AND ANSWERS

(*See* Part I)

12.09 HRS.

STATEMENT *RE* ALLEGATIONS OF CALLOUSNESS AT ARIYALUR TRAIN ACCIDENT

The Deputy Minister of Railways and Transport (Shri Alagesan): Sir, with your leave, I would like to make a statement in order to correct the wrong impression given to this House yesterday by the hon. Member, Shri Kamath, when he spoke on the Supplementary Demands relating to Railways. He said he had received a letter from a responsible person from Trichy, a Member of the District Board, Kulitalai, Shri Govindan. He also read out the contents of the alleged letter. The statements made in the alleged letter were so serious that you, Sir, wanted special attention to be paid to it and a special enquiry made into it. The hon. Minister for Railways and Transport, Shri Jagjivan Ram, also intervened and requested that the letter might be given to him in original so that he could have it enquired by the Committee which was going into the matter as the letter contained very serious allegations.

The alleged letter was sent to Shri Jagjivan Ram, who, in turn, sent it to me with the following note:

> "The accompanying is the letter Shri Kamath has sent to me without any forwarding note. When he was speaking in the House he created an impression that he was reading from a letter. I think this should be brought to the notice of the Chair."

The alleged letter has turned out to be not actually a letter written by Shri Govindan to Shri Kamath but only a printed pamphlet which purports to be the English translation of a speech alleged to have been delivered at a public meeting held at Tiruchirapalli on 7-12-56 by Shri R. Govindan, which appeared in "the vernacular daily *Dina Tanthi* of Tiruchirapalli, 10-12-1956." (Thess words are from the printed pamphlet.)

It will be seen that Shri Kamath left a completely misleading impression on the House when he said he was reading from a letter received by him while he was actually reading from the printed pamphlet described by me above. It is unfortunate that some people should try to seek political advantages even from such poignant happenings as a Railway accident.

In my opinion, this is a clear breach of privilege of the House. But I would like to leave the matter entirely in your hands so that healthy conventions may be established in this House in the interest of all concerned. I am placing the printed pamphlet in question in your hands as also another printed pamphlet which Shri Kamath has sent to Shri Jagjivan Ram. [*See* Appendix V, annexures No. 75 and 76].

Shri Kamath (Hoshangabad): Mr. Speaker, yesterday after you intervened, the hon. Minister also intervened and said in response to your intervention that I might send him the letter. There were all sorts of papers lying on the desk before me. It is true that as far as the statement made by the Deputy Minister goes, I got a letter containing a report of the speech made by him along with a little one-line slip from the person concerned. That was lying on the table and I wanted to fish it out from the mass of papers—the letter forwarding a copy of the report of his speech, and just asking me to "Please do the needful". Therefore, I thought that when the accompanying slip was there to this report of the speech made by him—it was also published in the public papers,—newspapers.

Mr. Speaker: Where is that slip?

Shri Kamath: That was mislaid. I could not get it, I could not find it out. It was a one-line slip. I tried to contact Shri Jagjivan Ram, but he had left this place. I had to be here in the House because of subsequent Bills. I tried to contact Shri Jagjivan Ram in the office here, but he was not available. So I thought I would meet him here later. I sent him the report except that one-line slip, which is missing. I had here so many papers on my desk. I wonder that is supposed to be an offence, it is a small paper and along with it was a one-line slip which is now, missing. I leave it to the House. I am entirely in the hands of the House. It is a printed document, published document, which appeared in the daily Press, which is more than a private letter. Supposing he writes a private letter, he is not bound by what he has said there. His speech is published in a paper, as against a private letter. I am sorry that the forwarding slip which came along with it is missing—it simply said "Here is a copy of the report of my speech". I thought that one line was not so important, but that slip is not traceable. It was signed and I got it along with the report by post. So I thought it was authentic enough.

Mr. Speaker: Could he not have written this to Shri Jagjivan Ram?

Shri Kamath: I kept all the three of them here. Two I had fished out, but this one-line half-page slip is missing. It contained just these two lines only—"here is the copy of the report and please do the needful in Parliament." I tried to contact Shri Jagjivan Ram on telephone but he was not available I however thought I should send the other papers available, and I could meet him here today because his rota is here for the Question Hour today. If at all he wants to take any action, he can take it on that report. That is all I would like to say in this matter. I am in your hands and in the hands of the House.

Mr. Speaker: All that I can......

Shri Velayudhan (Quilon *cum* Mavelikkara—Reserved-Sch. Castes): It is only a covering letter.

Mr. Speaker: Covering letter is is everything.

Some hon. Members: Once he is in the hands of the House.

Mr. Speaker: All that......

Shri Velayudhan: Just a covering letter......

Mr. Speaker: The hon. Member cannot go on like that, and I will not call the hon. Member hereafter; that is the only punishment I think of for his interruption every time. I cannot understand this kind of over-enthusiasm and exuberance. There is a limit to it. Of course, I will put up with it because it is only two days.

All that I can say is this. Of course, Shri Kamath appreciates the position that if there was no forwarding letter—even the signature is the most important thing—it would not help him. He need not repeat what he has already stated when it is in black and white. If, as he said, letter was received by him, a single line letter with a signature, that sets the matter at rest. But I would request hon. Members that whenever they make a serious statement of this kind, they must thoroughly satisfy themselves about its authenticity. Anything that appears in newspapers is not necessarily authentic. Hon. Members have to weigh the pros and cons.

But so far as this matter is concerned, inasmuch as the hon. Member says that he received it but that he mislaid it, I would certainly take his statement for it. Therefore, nothing more need be done.

For the future, I would request hon. Members that whenever they make a serious statement of this kind, they must rely upon authentic statements, and even when they read a letter, either handed over to them or sent to them by post, they must, if they get time, make it doubly sure before they make any responsible statement on the floor of the House.

Shri Kamath:. Only for want of time, I could not have it authenticated.

PAPERS LAID ON THE TABLE

APPROPRIATION ACCOUNTS (POSTS AND TELEGRAPHS) 1954-55 AND AUDIT REPORT, 1956, PART II

The Minister of Finance and Iron and Steel (Shri T. T. Krishnamachari): I beg to lay on the Table, under article 151(1) of the Constitution, a copy of the Appropriation Accounts (Posts and Telegraphs), 1954-55, and the Audit Report, 1956, Part II. [*Placed in Library. See* No. S-591/56]

AMENDMENTS TO CENTRAL EXCISE RULES

The Minister of Revenue and Defence Expenditure (Shri A. C. Guha): I beg to lay on the Table, under section 38 of the Central Exises and Salt Act, 1944, a copy of the Notification No. 18-CER|56, dated the 27th November, 1956, making certain further amendments to the Central Excise Rules, 1944 [*Placed in Library. See* No. S-592|56].

MINUTES OF COMMITTEE ON ABSENCE OF MEMBERS

Shri Altekar (North Satara): I beg to lay on the Table the minutes of the sittings of the Committee on Absence of Members from the sittings of the House (Twentieth and Twenty-first) held during the Fourteenth Session.

MESSAGES FROM RAJYA SABHA

Secretary: Sir, I have to report the following three messages received from the Secretary of Rajya Sabha:

(i) 'In accordance with the provisions of Rule 125 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to inform the Lok Sabha that the Rajya Sabha, at its sitting held on the 17th December, 1956, agreed without any amendment to the Territorial Army (Amendment) Bill, 1956, which was passed by the Lok Sabha at its sitting held on the 23rd November, 1956.'

(ii) 'In accordance with the provisions of sub-rule (6) of rule 162 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to return herewith the Finance (No. 2) Bill, 1956, which was passed by the Lok Sabha at its sitting held on the 12th December, 1956, and transmitted to the Rajya Sabha for its recommendations and to state that this House has no recommendations to make to the Lok Sabha in regard to the said Bill.'

(iii) 'In accordance with the provisions of sub-rule (6) of

[Secretary]

> rule 162 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to return herewith the Finance (No. 3) Bill, 1956, which was passed by the Lok Sabha at its sitting held on the 12th December, 1956, and transmitted to the Rajya Sabha for its recommendations and to state that this House has no recommendations to make to the Lok Sabha in regard to the said Bill.'

COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS

SIXTY-SEVENTH REPORT

Sardar Hukam Singh (Kapurthala-Bhatinda): I beg to present the Sixty-seventh Report of the Committee on Private Members' Bills and Resolutions.

ESTIMATES COMMITTEE

THIRTY-EIGHTH REPORT

श्री ब० गो० मेहता (गोहिलवाड़) : अध्यक्ष महोदय, मैं सामुदायिक विकास मंत्रालय (सामुदायिक परियोजना प्रशासन) के बारे में प्राक्कलन समिति (एस्टिमेट्स कमेटी) की अड़तीसवीं रिपोर्ट भाग १ पेश करता हूं।

LEAVE OF ABSENCE

Mr. Speaker: The Committee on Absence of Members from the Sittings of the House in its Nineteenth Report has recommended that leave of absence may be granted to the following Members for the periods indicated in the Report:

(1) Rt. Rev. John Richardson.
(2) Shri Kotha Raghuramaiah.
(3) Shri M. Hifzur Rahman.
(4) Sardar Baldev Singh.
(5) Shri Chandikeshwar Sharan Singh Ju Deo.
(6) Dr. Edward Paul Mathuram.
(7) Shri A. K. Basu.
(8) Shri K. Janardhan Reddy.

I take it that the House agrees with the recommendations of the Committee.

Shri K. K. Basu (Diamond Harbour): May I know the reason for the absence of Rev. Richardson? He is a nominated Member. I think this House should advise the President on this. For ninety per cent of the days, he is absent. I feel the House should advise the President not to nominate him to the next Parliament.

Shri Tulsidas (Mehsane West): I remember he attended the last session. He comes from Nicobar and it is very difficult for him to go over here.

Mr. Speaker: The reports are first laid on the Table. The hon. Members should get copies of the report and look for themselves. If any further explanation is necessary, they may put their questions.

The hon. Member has requested leave of absence for the entire period of the Fourteenth Session. He is unavoidably engaged in the community project work in Nicobar. The total period of absence from 14th November to the 22nd December 1956 amounts to 39 days. The Committee on Absence of Members are of the opinion that the hon. Member be granted leave of absence for this period.

Shri Altekar (North Satara): Mr. Speaker, he has written a long letter requesting that leave be granted to him as he is engaged in the community project work. A wooden bridge which was constructed in 1952 was washed away and that bridge was again constructed in 1954. That too was recently washed away. Now it has been decided that a pucca bridge should be constructed. Cement and other materials have been gathered. The people there have also contributed but they are not in a position to understand things properly. So, he says that unless he is present there, there will not be any progress. At the same time, if the work is not taken up just now, the cement will be spoiled. He has also stated that he is prepared to forego his salary for his absence. In that connection, this Committee cannot say anything. In the circumstances, the Committee thought that leave should be granted to him. He had now been informed that though it may be community project work, it is not a sufficiently valid reason for the purpose of granting leave. For the time being, the leave was granted. This fact has been brought to his notice by the Committee and a letter is being written to that effect.

Shri Punnoose (Alleppey): The House should not accept that explanation....

Mr. Speaker: Order, order. I do not want to spend time over this matter. If the hon. Members want to look into the previous history of this gentleman before granting leave, I will allow this particular name to stand over till day after tomorrow. They may read the report and come to conclusions. They should also bear in mind that after a long period of absence, one hon. Member was rusticated here and there have been all sorts of comments in the Press. We are at the fag end of the Session. That may also be taken into consideration. He has to come all the way from that place and it is also to be seen whether another person will be available to represent that area. These are all factors to be taken into consideration. Anyhow, I have no desire to hustle this matter. Let the hon. Members think over if a colleague of theirs ought to be sent out or kept inside. I will omit that name and put the other names, including that of Basu, before the House. The case of Rt. Rev. John Richardson will stand over till day-after-tomorrow. I take it that the House agrees.

Shri Mathew (Kottayam): If an hon. Member is absent only for 39 days at a stretch, is it necessary for him to get leave at all? He was absent only for 39 days.

Mr. Speaker: We are not going into that question. The hon. Member will kindly look into the Constitution and the rules. We do not know how long he was absent and all that. The hon. Member does not have the facts. What is the meaning of raising hypothetical questions like this? It may be that he was absent during the last days of the previous session and 39 days of this Session. A few days of the next session and then he will be absolutely out of court. I take it that the House agrees with the recommendations of the Committee about the others.

Some Hon. Members: Yes.

Mr. Speaker: The Members will be informed accordingly—those who have been granted leave (*Interruption*). Why should the hon. Member be childish? I am afraid childlike. Now, we go to the next business.

BROADCASTING FACILITIES FOR POLITICAL PARTIES

The Minister of Information and Broadcasting (Dr. Keskar): Sir, the question of giving broadcasting facilities to the various political parties for the general elections has been engaging the attention of the Government....

Shri K. K. Basu (Diamond Harbour): A little louder.

Dr. Keskar: If the hon. Members do not speak, it will be quite audible.

During the last general elections the Government found on careful consideration, that it would not have been possible to provide such facilities without rousing criticism of unfairness and partiality from one group or the other.

[Dr. Keskar]

However, after the elections Government have given careful thought to the matter. Practices prevailing in other democratic countries have also been studied and compared. It is well to remember that examples of other countries that can be cited in this behalf are not uniform and are based on conditions which differ radically in many important respects from country to country. The practical aspect of the question has also great importance. The area of the country, the form of Government—federal or unitary--and the number of parties involved, all are factors which have been kept in mind by various countries in taking a decision. In USA where broadcasting is run by private enterprise, though certain principles of equal opportunity have been laid down by the Federal Communications Commission, in practice it is a rare occurrence because time has to be purchased and a great deal of bickering and dissatisfaction always exists. In Great Britain only since the war opportunities have been provided for a few election broadcasts, the allotment of time being subject to the strength of the parties and other practical considerations. In countries like Switzerland no time is permitted for election purposes on the radio, while in France it is given, though the time allotted is extremely short—five minutes or less.

It is clear from a study of foreign practices that each country has taken the conditions prevailing there and also the number of parties and other factors into consideration. The analogy of other countries, therefore, is of not much validity in coming to any conclusion as far as India is concerned. Taking into consideration the conditions prevailing in our country, Government feel that it would be extremely difficult, if not impossible, to make satisfactory arrangements for giving such facilities to all political parties. Besides the points mentioned above, another important factor has to be considered. In other countries, for national broadcasting only one language is used and that too only in national elections. The exception is Switzerland where there are three languages and it is one of the important reason that Switzerland does not permit the use of the radio for election purposes. In India we are confronted with the task of providing facilities in 12 languages besides English and they would be asked to give equal facilities from stations of All India Radio which are 26 in number. Moreover, in working out any practical formula, it has to be remembered that the number of parties which will have to be provided with these facilities comes to nearly 27.

The apportionment of time between the various political parties and at different stations of the A.I.R. would be a task of extreme difficulty and is bound to lead to criticism and imputations of partiality. The determination of the principle for purposes of allocation of time will also lead to much controversy. Language stations and regional centres of A.I.R. might have to cater to a large number of parties and provide them with time for broadcast in at least two to three languages and sometimes more.

Apportionment of time is made in different countries in different manner, some doing it one the number of votes polled, others on the number of candidates put up by parties. We feel that any such apportionment would result in recriminations and criticism of Government. On the other hand, if all parties have to be provided with equal time, the normal activities of the A.I.R. stations will have to be drastically curtailed during the election time. The proposal to provide broadcasting time in a fair and reasonable manner therefore seems almost insoluble in practice. In view of these practical considerations, Government have come to the conclusion that it would not be possible to allow political parties generally to utilise the facilities of the radio for election purposes.

However, Government feel that an experiment permitting such utilisation on a restricted scale might be tried. In order to see whether such facilities can be used for specific election purposes without taking a major part of the time of the radio and also without leading to a charge of discrimination or partiality, it has been decided that the four all-India parties recognised by the Election Commission might be allowed the facility of supplying a summary of their election manifestoes, prepared by themselves, which will be broadcast by A.I.R., subject to usual rules. Such summaries might not exceed ten minutes and will be broadcast in English and in all the regional languages. Efforts will be made to see that the statements of the parties would be broadcast on the same day, if possible, in English and Hindi from Delhi and in the respective regional languages from other Stations of AIR. Arrangements for such broadcast will be made by the All India Radio in consultation with the authorities of the parties concerned.

Government will review the position in the light of the experience gained during the course of these elections to see what future steps might be taken afterwards.

Shri Kamath (Hoshangabad): Last Monday or, I think, it was 10 days ago, the hon. Minister promised to make a statement and I requested you that the statement might be in such a form that we might be able to get it clarified by qestions or otherwise.

Now, this statement raises many complicated points, whether the Congress Party have only that right of broadcasting their manifesto or whether besides speeches of Congress leaders, big or small will be broadcast by the A.I.R. From that point of view at least, I would very much earnestly request you to allow a half-an-Hour discussion on this matter, because this is the eve of election and after 2 or 3 days, we will disperse....

Mr. Speaker: Order, order. Hon. Members will kindly read the statement. The hon. Minister said that the manifestoes would be broadcast in the Radio, and that there would be no speeches. The statement read out by the Minister was in English. I did not hear it in Greek and Shri Kamath did not hear it in Roman. What I understood from the statement is this: This is the first experiment. Hon. Members and the Government came to the conclusion, having regard to our special peculiar and recrimination and then there would be difficulty about alloting the time according to the strength of any particular party. If you take the future strength of the parties, it may be bad this time or it may be good this time Taking this as an experiment, they say that they would allow not more than 10 minutes whatever may be the strength of the party. Whatever may be the manifesto of parties, they will be curtailed to a period of 10 minutes and they will be broadcast from Delhi in English and Hindi and in various other languages in the other States, in their local language and Hindi and simultaneously with the consent of all the four parties they will all be relayed on the same day. This is how I understood it. What further clarification is necessary....

Shri Kamath: Congress Party also?

Mr. Speaker: Is not the Congress Party a political party? There are 4 main political parties which are recognised by the Commission.

Some Hon. Members *rose.*—

Mr. Speaker: Order, order. I am not going to allow questions on a statement of this kind.

APPROPRIATION (No. 5) BILL

The Minister of Finance and Iron and Steel (Shri T. T. Krishnamachari): I beg to move*:

> "That the Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the service of the financial year 1956-57, be taken into consideration."

Mr. Speaker: The question is:

> "That the Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the service of the financial year 1956-57, be taken into consideration."

The motion was adopted.

Clauses 2, and 3, Schedule, Clause 1, the Enacting Formula and the Title were added to the Bill.

Shri T. T. Krishnamachari: I beg to move:

> "That the Bill be passed."

Mr. Speaker: The question is:

> "That the Bill be passed."

The motion was adopted.

APPROPRIATION (RAILWAYS) NO. 6 BILL

The Deputy Minister of Railways and Transport (Shri Alagesan): I beg to move*:

> "That the Bill to provide for the authorisation of appropriation of moneys out of the Consolidated Fund of India to meet the amounts spent on certain services for the purposes of Railways during the financial year ended on the 31st day of March, 1954, in excess of the amounts granted for those services and for that year, be taken into consideration."

Mr. Speaker: The question is:

> "That the Bill to provide for the authorisation of appropriation of moneys out of the Consolidated Fund of India to meet the amounts spent on certain services for the purposes of Railways during the financial year ended on the 31st day of March, 1954, in excess of the amounts granted for those services and for that year, be taken into consideration."

The motion was adopted.

Clause 2, and 3, the Schedule, Clause 1, the Enacting Formula and the Title were added to the Bill.

Shri Alagesan: I beg to move:

> "That the Bill be passed."

Mr. Speaker: The question is:

> "That the Bill be passed."

The motion was adopted.

APPROPRIATION (RAILWAYS) NO. 7 BILL

The Deputy Minister of Railways and Transport (Shri Alagesan): I beg to move*:

> "That the Bill to authorise payment and appropriation certain further sums from and out of the Consolidated Fund of India for the service of the financial year 1956-57 for the purposes of Railways, be taken into consideration."

Mr. Speaker: The question is:

> "That the Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the service of the financial year 1956-57 for the purposes of Railways, be taken into consideration."

The motion was adopted.

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*Moved with the recommendation of the President.

Clause 2 and 3, the Schedule, Clause 1, the Enacting Formula and the Title were added to Bill.

Shri Alegasan: I beg to move:

"That the Bill be passed."

Mr. Speaker: The question is:

"That the Bill be passed."

The motion was adopted.

Shri Ramachandra Reddi (Nellore): There is a somewhat new departure from the normal procedure in regard to the Order Paper. In today's Passed List of Business, you will find the time fixed for the starting of discussion on the Central Excises and Salt (Second Amendment) Bill. It is not usual procedure to interrupt the business of the House in that way, because items 6 and 7 are allotted 2 and 1½ hours there. It is the intention of the Chair to interrupt business at this stage and take up the the business at 2-30 p.m. to deal with item No. 8?

Mr. Speaker: As the House knows, so far as the Central Excise Bill is concerned, Government was very particular that the time ought to be allowed to discuss it here, so that it may be taken to the other House, and the House agreed to it yesterday. The only other point is that it may be taken up even without interrupting item Nos. 6 and 7, at whatever stage they might be. The House can take the Bill immediately, if it so desire. Exceptional cases arise, and there is no particular harm in allowing this procedure.

KERALA STATE LEGISLATURE (DELEGATION OF POWERS) BILL

The Minister of Home Affairs (Pandit G. B. Pant): I beg to move:

"That the Bill to confer on the President the power of the Legislature of the State of Kerala to make laws, be taken into consideration."

This motion is a simple one. In fact, it is essentially of a formal character. Hon. Members are aware that the Kerala State is directly under the control of the Parliament at present.

[MR. DEPUTY-SPEAKER *in the Chair*]

12-39 hrs.

The Proclamation issued by the President for the administration of Kerala in this manner was approved by this House early this month. This motion that I am making for the consideration of this Bill is an inevitable sequal and corollary to the acceptance of that Proclamation. As hon. Members are aware, the Travancore-Cochin State was taken under the umbrella of the President directly sometime in March last.

After that, on account of the reorganisation of States the new Kerala State was formed, and it came into existence on the 1st of November. So a new Proclamation had to be issued. That Proclamation has been approved and adopted by this House. When the Travancore-Cochin State was the subject of a similar Proclamation previously, a Bill exactly of this character for the delegation of legislative powers was passed by this House regarding the then Travancore-Cochin State. This Bill is similarly being placed before this House for acceptance.

As there is no local legislature, the Parliament has to devise some ready machinery for giving legislative sanction to necessary measures meant for the Kerala State. So it is proposed to give that power to the President. But, before any such Bill can be accepted it will be placed before, and considered by, the Committee consisting of all Members from Kerala. In fact, even before the formal acceptance of the Proclamation I have had the privilege of consultations with the Members from Kerala. They have been good enough to give me very useful advice. Now, by virtue of this Bill, measures relating to Kerala will be placed before the Committee, and then the President wil give them the legal form and sanction.

[Pandit G. B. Pant]

There are already two Bills which have to be approved without delay: one relating to the Civil Courts and the other to the removal of disqualifications. When the Travancore-Cochin State was under the President's Rule, the President approved of and Published eleven Bills relating to that State, all of which were accepted by the Travancore-Cochin Committee.

Such a Bill relating to delegation of legislative powers had also been passed previously. In fact, whenever a State was taken under the President's Rule directly such a Bill had to be passed—in Punjab, in PEPSU, in Travancore-Cochin and in Andhra. Similarly, now I request the House to adopt this Bill. It will facilitate the passage of necessary legislative measures meant for the benefit of the people of Kerala.

There are certain questions relating to land reform etc. also under consideration and, if suitable provisions can be put in the appropriate form they will also be placed before the Committee. All that we can do, we must try to do. Of course, this Bill will have only a short life as the President's Rule will terminate with the formation of the new legislature in Kerala after the general elections. In the meantime, whatever steps have to be taken to carry out the wishes of the people of Kerala will be given legal shape and form under this Bill.

So I commend it to the acceptance of the House. I hope it will be treated as a non-contentious measure, as it really is, and passed without any further discussion in the House.//

Mr. Deputy-Speaker: Motion moved:

> "That the Bill to confer on the President the power of the Legislature of the State of Kerala to make laws, be taken into consideration."

Shri V. P. Nayar (Chirayinkil): Mr. Deputy-Speaker, Sir, I agree with the Home Minister that this measure is a simple measure in so far as the procedure in this House is concerned. But, if you take account of the various problems which the President's laws are intended to cover, I submit that it is not so simple as the Home Minister thinks it to be.

I have given some amendments also to which I shall come later. But I would like the Home Minister to remember that although by this legislation under clause 3 it is said:

> "The power of the Legislature of the State of Kerala to make laws, which has been declared by the Proclamation to be exercisable by or under the authority of Parliament, is hereby conferred on the President."

the powers of the Kerala Legislature are not enjoyed by this House in practice. We know that when the Consultative Committee meets we, as private Members representing our counter parts in the State Legislature if the powers of the State Legislature were indentical with the powers of Parliament in respect of Travancore-Cochin State—are not given an opportunity to move Private Members' Bills to bring in certain enactments which are necessary to meet the situation. Therefore, this Bill and the provisions which confer certain powers on Parliament and are exercised through the President are all very much restricted in scope than the powers of the Kerala Legislature despite the fact that it is provided that we shall have identical powers.

The Home Minister also said that 13 Bills have been passed and all were accepted by the Committee. With due respect to the Home Minister I would submit that it is not a very correct picture. The Minister in the Ministry of Home Affairs knows well that during the discussions which we have had, very many points of fundamental difference were also raised which could not be ironed out. But to our surprise we found that when the Bills were printed and circulated as Acts, it was also printed that the Bills had the concurrence of the entire Committee.

I do not want to go into the detailed provisions, but I would refer only to one or two points. There was one piece of legislation regarding water tax. There were some fundamental differences on that. Some of us held the view that the water cess could not be charged with retrospective effect, especially in an interim period when we were thinking about it. That was not agreed to by the Home Minister.

Also, you will find that this Consultative Committee is neither a Parliamentary Committee nor a Committee which represents the Travancore-Cochin Legislature. I am strengthened when I say this because, on a question of fundamental difference between Shri Datar and myself, I had the position clarified from the hon. Speaker who wrote to me that although it is a Consultative Committee it is not a Parliamentary Committee and therefore, as a necessary corollary, we are not in a position to exercise the rights and privileges as Members of this House when we are functioning in this Committee. No record of the discussions which we have had are kept. There is no rendering in shorthand and then transcribing in long hand. The result is, whatever they say we have to accept. Although it creates an impression that all Members have agreed, it is not a fact. We have had our differences which must be considered.

The other point which I want to press is, we must have some regard to the practical difficulties. The proviso as it stands today says:

> "Provided that before enacting any such Act, the President shall, whenever he considers it practicable to do so, consult a Committee constituted for the purpose consisting of all the Members......" etc.

We have had some meetings. The Home Minister was kind enough to grace the occasion with his presence once or twice. In other meetings, the proceedings were ably stered by Shri Datar. But, our regret is this. The President of India alone under this provision has the power to consult. I do not know how the authority has been delegated. There is no such provision here. Of course, I realise the difficulties of the President to make consultations with us. He is very busy and he cannot find time. He can seek the advice of the Home Ministry. That is precisely the reason why I have formulated an amendment by which the President, under the statute, shall have the right to nominate either the Home Minister or the Minister in the Ministry of Home Affairs to exercise this function of consultation for and on behalf of the President. I hope the Home Minister will be kind enough to accept this amendment.

There is also the other practical difficulty. This committee consists of all Members from Kerala and the Home Minister knows very well that for the coming two months, none of us can be anywhere outside the State for obvious reasons. We can understand his personal difficulty in coming to Kerala, but his able deputy can very easily come and relieve us of the tedium of coming all the way to Delhi, at a time when all of us are required to be there, irrespective of our political differences and whether we stand or not for the next election. Therefore, I have suggested that this committee will meet in some place in Kerala, so that all of us can contribute in a manner in which the Home Minister desires us to do.

Then, there are other questions also which the Home Minister may be pleased to consider. Although I have not been able to formulate an amendment to that effect, we, the members of the committee, who function in order to be of some help to the President or the Home Minister, should also got an opportunity to suggest the nature and scope of the legislations which are absolutely and imperatively necessary for our State to meet certain situations. I am giving one or two examples, because it is not so simple a matter as the Home Minister thinks it is. There are many day-to-day problems; I do not want

[**Shri V. P. Nayar**]

any legislation for them, because they will have to be tackled by the executive. But, there are certain problems which are not day-to-day occurrences and which are of a very wide field.

The other day, when we were discussing the proclamation, I raised one or two issues about land reforms. The Home Minister was kind enough to say that certain land reforms were under consideration by this committee. I am very glad that it is so. But there are some other important aspects of land reforms which should precede the real land reforms, which he has in view. For example, I raised the issue of Government's attitude during the President's rule to the serious detriment of tens of thousands of our peasants who were paying double tax on land—the basic tax to the Government and the *Jenmikaram* for which the Government are functioning as the agent of the Jenmis incurring a loss also in collecting the amount. For years, successive Ministries—whether it was the Congress Ministry or the P.S.P. Ministry—have had nothing to do with it. There is some difficulty now. The hon. Minister under a certain law which was enacted by then T. C. State, it was not possible to waive the claims of Government. I realise the difficulty. That is exactly why there should be a legislation for repealing those particular provisions, under which considerable harassment is now being caused to thousands of people under the Revenue Recovery Act. That cannot be done by an executive order, I realise the difficulty of the Home Minister. Sitting in Delhi, he cannot advise the Governor, "from today no tax should be collected or no coercive steps should be taken for collection of tax in the case of *Jenmikaram* as well as *Kuthagapattom*, under which the Government of the State themselves are the owners"....

Mr. Deputy-Speaker: Those hon. Members who can participate in the consultation should have an opportunity to suggest some other legislations also. This is the point that the hon. Member wants to make. He has also given an illustration where the Members might like to put in their suggestions. He should confine himself to that point only and not enter into detailed arguments.

Shri V. P. Nayar: I shall certainly take your guidance and I shall not enter into details.

There is another matter in which a complicated piece of legislation will not be enough, because you know that the *Kuthagapattom* rules apply only to certain portions of Kerala State. Now you have to make a law for the entire Kerala State; and, especially when Malabar has been added, it raises some legal questions also. Whether Government can pass an order covering the whole area including portions where this particular type of land tenure is not in existence is a different matter. But, the fact remains that before we think of any substantial land reforms, as the Home Minister was pleased to say, we have to amelierate the distress of large sections of our peasantry, more so in the case of peasants whose lands are technically owned by Government....

Mr. Deputy-Speaker: Again I would point out to the hon. Member that that would be far away from the scope of this Bill. Here we have to decide whether this power should be given to the President or not.

Shri V. P. Nayar: I am only addressing you in respect of this particular matter, because there is no dispute about the fact that this House is capable of exercising the powers which the Kerala Legislature would be capable of. If that be so, in the Kerala Legislature there were rules for private members to bring in any piece of legislation and if they could win over the majority, it became law. In this House, we do not have time to bring Bills and the House also will not find it convenient to discuss them, more so at this fag end. In the committee, we function as members to advise the President in the matter of legislation. Leaving aside day-to-day problems and matters where the executive can take action in matters of urgent important legislations, we should have the right to move the Government. Whether the committee or the Minister will like it or not is a different question. But, we as representatives of the Kerala State whom the Government have been pleased to take into the committee should have the right to bring forward any piece of legislation which we deem necessary. That is not within the scope of actual practice, though technically and theoretically it may be within the scope.

As you have directed me not to enter into details, I would only request the Home Minister to have the meetings, arranged, as I have indicated in the amendment, because, apart from the fact that we are sitting there to advise the President, the Government of India's representatives will have an opportunity to know the various problems of the State. It is not as if the Government of India functions solely for the purpose of filling up the legislative lacuna in the State. It has also the function of seeing that normalcy prevails there till the elections are held and a legislative body is formed. When you want to have an opportunity to contact the people and discuss with them the problems, it is all the more necessary that my amendment should be accepted, as it will afford an opportunity for all of us to sit together, discuss the problems and consider our advice, however valueless it may be. The Government of India will have the opportunity to consider the suggestions put forward by Members representing various parties and various groups.

There is also one point which I must state before I resume my seat. As I have said earlier, there should be a specific provision here under which one of the two Ministers who are very sympathetic to our State, should have the power to consult us on behalf of the Preseident. After all, we have never been asked to meet the President and discuss matters with him. The difficulties are known. So, let us also fill up this lacuna, and I would therefore, request the Home Minister to accept my amendment.

13 HRS.

There are many other problems relating to legislation which, I think, my hon. friend Shri Punnoose will deal with. In order to save the time of the House, I shall resume my seat.

Shri A. M. Thomas (Ernakulam): At the outset, I should pay a tribute to the Home Ministry for the close and intimate interest which it has taken in the affairs of Travancore-Cochin previously and in the affairs of Kerala State now.

Shri V. P. Nayar: No.

Shri A. M. Thomas: Shri V. P. Nayar himself was good enough to mention that the hon. Ministers were very sympathetic towards the affairs of Travancore-Cochin or Kerala as it stands at present. I only just followed his example.

Shri Punnoose (Alleppey): Bad example!

Shri A. M. Thomas: On many occasions, when I have had discussions with the Home Ministry concerning the subjects touching the affairs of Kerala, I have been able to find that the Ministers and the officers of the Ministry were more in the know of affairs in Travancore-Cochin or Kerala than we ourselves knew. That was why I paid an unqualified tribute to the Home Ministry for the efficiency with which it is working with regard to the affairs of Kerala.

Even in the constitution of the Consultative Committee, a departure has been made when we consider the previous legislations on the subject. Even the Bill that we adopted last time relating to Travancore-Cochin

[Shri A. M. Thomas]

enabled consultation with all the Members hailing from Travancore-Cochin. That was not a step which was adopted in the case of other States like PEPSU, Andhra or Punjab. It was a departure made in the case of Travancore-Cochin.

In the present Bill, there is the provision to the effect that all the Members from the Kerala State would constitute the Consultative Committee with regard to legislative purposes. So, I should express my satisfaction on the approach to the affairs concerning this problem State.

I would also like to endorse one point which Shri V. P. Nayar mentioned. The coming months are going to be the election months so, as far as possible, in order that all most all the Members of the Consultative Committee may be in a position to attend the meetings, the meetings should be held somewhere in Kerala. I think this submission of ours will be considered with due sympathy.

There are only a few months ahead of us for the next general elections, and it may not be possible to adopt very many Bills. But I feel there is one Bill which is of a very urgent nature namely, the Bill relating to the amendment of the Civil Courts Act in that State. It should be taken up. Otherwise, it may not be possible to carry out the assurance that has been given by the hon. Home Minister last time, namely, additional district courts would be constituted and all the powers that are now being exercised by the district courts would also be exercised by the additional district courts. For that purpose, I think the Civil Courts Act would have to be amended and that is a legislation which is long overdue. I believe that there would not be any delay in issuing the necessary notification constituting the committee and that the necessary legislation will be placed the Members of the Consultative Committee without much delay.

When I just mention this fact, I shall also refer to another point. A senior I.C.S. officer has been appointed to consolidate the laws relating to Travancore-Cochin and Malabar. But before any Bill as such is placed before us for our concurrence, I feel it would be very good if the sense of the Members of the Consultative State Committee was also obtained in that connection. I say this because I hear that there is going to be a change in the civil jurisdiction of the courts. As far as Malabar is concerned, which was part of the Madras State the civil jurisdiction extends to Rs. 5,000 for the munsiff's court. But in Travancore-Cochin, it extends only to Rs. 3,000. There was report to the effect that immediate steps are going to be taken to increase the jurisdiction of the munsiff's courts from Rs. 3,000 to Rs. 5,000. That is obviously for the sake of uniformity. But it would not be advisable to raise the jurisdiction of the munsiff's courts in the Travancore-Cochin area to Rs. 5,000 all of a sudden. As far as possible, we would have to take into consideration the general level of income of that State also. We must also take into consideration the average wealth of the individual in that State. It will be found that among the cases pending in the district courts there, many of them would be with valuation between Rs. 3,000 and Rs. 5,000. Many pending cases would be within these amounts. So, I would plead with the Home Minister that no hurry need be shown in such matters. The Consultative Committee may be consulted and its opinion may be taken.

My friend Shri V. P. Nayar referred to the procedure that was adopted in the Consultative Committee. I think he did not give a correct picture of what had happened in the Consultative Committee. I think that the Bills that have been enacted by the President have been enacted either on the unanimous recommendation of the Committee or on the majority opinion.

Shri Punnoose: Was a vote ever taken?

Shri A. M. Thomas: In fact, in certain cases votes were taken, but the general opinion was that votes need not be taken and that ascertainment of the general sense would do. Now to come and say that votes were not taken is quite unfair. It is unfair to level such a charge.

My friend referred to the instance of giving retrospective effect to water cess. Even in spite of the opposition raised from the government of Travancore-Cochin, it was the unanimous wish of the Committee to give retrospective effect to the rates of water cess that were prescribed in the Bill. After that, my friend comes now and says that retrospective effect should not have been given. The water cess that was levied according to the Bill which we had adopted and the President enacted was much less than the rates that are now prevailing. So, it was our wish that it should be given retrospective effect. There was, in fact, a great deal of controversy. The officers of the Kerala Government said that it would not be advisable to ask the Government to give up a large portion of its revenue by this measure, but even then, we said that the existing rates were high and that the rates which are given in the Bill should be adopted. I am glad that the Home Ministry was able to adopt our recommendations and give effect to them. It is quite unfair to level any charge by saying that in spite of our recommendations something else has been done. I feel that the Committee has functioned properly. Among the 11 Bills, there are some very important Bills with regard to compensation for improvements for the tenants, the Irrigation Bill to which I have referred, and there is the Agriculturist Relief Bill. They are very important Bills. They are not minor Bills. They have been considered by the Consultative Committee and then subsequently enacted by the President.

I am glad that the Home Minister has given an assurance that as far as possible further land reforms to the extent that would be possible would be taken up. I am glad to find that some measures which have been adopted, namely, with regard to compensation for improvements, and the measure relating to the extension of the stay of eviction of tenants, are in the direction of land reforms.

There were other Bills which were pending before the Travancore-Cochin Assembly. One was to give fixity of tenure to the virumba tenants or tenants at will and the other was to fix a ceiling on holdings. With regard to the fixity of tenures to the verumpattamdars, although we have adopted the other legislations, this may not be of such urgent importance. All the same, there are certain classes of tenants who are at present given the benefits or are intended to be taken in by the Virumpattamdars Bill which is pending. The Kerala Government may consider the advisability of bringing forward that Bill. With regard to the ceiling Bill, it is, of course, a very controversial measure. Even then in our informal discussions with the Planning Commission, we had suggested that for the present at least, with regard to future holdings, some provision may be made restricting holdings beyond a certain extent. We had also suggested with regard to holdings beyond that particular extent, a surcharge may be levied, because, now, according to the laws in force, there is only the basic tax of Rs. 1-9-0 per acre. Some substantial surcharge may be levied on lands beyond a certain extent. Shri Nanda, the Minister of Planning, was really impressed by that suggestion. He had also said that some legislation in that direction

[Shri A. M. Thomas]

could be attempted. I am only indicating that instead of going in for revolutionary measures, some steps which may, in the ultimate analysis, give effect to the object which we have in view in fixing the ceiling on holdings may be attempted.

Then, we may consider the scope of the working of this Consultative Committee. Of course, this Committee is now being formed only for the purpose of enacting legislation for the State. But, the hon. Minister, when he introduced the motion, was pleased to refer to the question of consultation with Members of Parliament from Kerala some time back. That indicates what he has in mind with regard to the scope of the working of the Consultative Committee. Although technically speaking or statutorily, this Committee is only for the purpose of legislation, this Committee consisting as it does of all the Members from Kerala, in view of the fact that there is no legislature in that State, can be taken into confidence to tackle the other serious problems confronting that State. There has been the instance pointed out by the hon. Home Minister. He had that consultation not with reference to any legislation or pending Bill. The consultation was in regard to certain problems confronting that State. When the present Governor's predecessor Shri P. S. Rau was there, he invited us to have discussions concerning the memorandum to be placed before the Finance Commission. He called us to consult with regard to the schemes for the Second Plan. I am mentioning these facts to indicate that it may even be given as a direction from the Home Ministry to the local Government, although it is not bound to take into confidence the Members of the Consultative Committee that as far as possible, when serious problems confronting that State come up for consideration, the Consultative Committee may be convened and its opinion also sought. I am just suggesting that the field of consultation or the scope of this Committee may be widened in the actual working of it.

For example, there is one question, which has to be considered as far as Kerala is concerned. The food position is very serious now. Unfortunately, we produce only 40 per cent. of rice that we require in the State. We now hear that as result of the consultation that the Governor has had here, with the Food Ministry, 15,000 tons of rice from Burma would be sent to Kerala. That would, of course, be a great relief. There is artificial scarcity also because of the fact that the distribution machinery is working very unsatisfactorily there. There are stocks. I visited the godown last time. There was only one godown—I do not know whether additional godowns have been opened—for the entire Kerala area in Cochin. When the fair price shop owners remit the money and take the challan to the depot, they will be asked to come after a week and the fair price shop owners have to go again. This question of the opening of additional fair price shops and the distribution machinery can certainly be made the subject matter of discussion between the Kerala Government and the Consultative Committee.

This morning, in answer to a question put by me with regard to the Second Five Year Plan schemes especially for the Malabar district, it was said that the State was being consulted and proposals are being formulated by the State Government. This is an occasion in which the Consultative Committee can be consulted with regard to the schemes relating to Malabar. Plan allocations are being discussed. Unfortunately, as far as that particular district was concerned, at the appropriate level, at the village level, at the taluk level, at the district level plans have not been prepared and adequate attention has not been given. This matter may be discussed with the Consultative Committee.

I am glad to understand that two or three large industries are intended to be located in that particular area. Of course, with regard to the location and other things, the Consultative Committee can be consulted. With regard to labour situation also, it has been said that the labour unrest in that part of the country is more than in any other part, to which, of course, I do not subscribe. Whatever it is, there are difficulties in the matter of labour and this Committee can be called and consultations made.

Lastly, I again wish to place on record the interest that the Home Ministry has taken in this State. I have got an instance in mind. In fact, we were making representation after representations, in view of the unsatisfactory unemployment position there, for the location of a Government of India Press which is to be located in the South, in Kerala. I understand that a great deal of negotiations went on and at one time it was thought that we won't be getting it. We are glad to find that principally at the instance of the Home Ministry, it has been possible to locate one of the Government of India Presses in Kerala. If such steps are taken, if the problems of Kerala are tackled in the proper way, it would cease to be called by that name.

With these few words, I welcome this Bill..

Mr. Deputy-Speaker: There have been too many.

Shri Velayudhan: (Quilon cum Mavellikkarà—Reserved-Sch. Castes): Mr. Deputy-Speaker, this is only a Bill to regularise the resolutions we have passed here in this House a few days ago. I do not have, therefore, to speak at length at this stage, because I had had already an opportunity to speak at that time and I do not want to raise the same points which I mentioned then. It is a fact that this Bill will be passed by this House as the Administrator's rule had been going on and the Governor's rule is going on there and the Resolution itself has been passed by this House. I only wish to bring to the notice of the hon. Home Minister a few points, especially with regard to the interests which I represent.

We are having a lot of problems among the untouchable classes there, to which I am sure the Government is alive.

Mr. Deputy-Speaker: I would impress upon the hon. Member that this opportunity should not be utilised for raising the grievances of the State. We are concerned only with a limited issue here: Whether this delegation should be done or not, whether the President is to be authorised with the function of making laws or not. Then there is the consultative Committee. It is in order to say that the Consultative Committee should be consulted on certain matters. But if every Member gets up and gives expression to all his grievances, and enumerates all the development schemes that are to be taken up, it would not be within the scope of this Bill. I had asked the previous two speakers too to confine themselves to the limited scope of this Bill, but they had been going outside it. I would request the other hon. Members to observe this.

Shri Achuthan (Crangannur): Can we not refer to certain subjects on which legislation is necessary, as far as Kerala State is concerned.

Mr. Deputy-Speaker: They might just refer to it, but they cannot say that all things that they require should be done and legislation should be undertaken by the President. If hon. Members were to ask for legislation on every topic, and refer to all development projects, we will not see the end of the discussion on this Bill.

Shri Velayudhan: I will strictly confine myself to the points you have mentioned. I was only trying to follow the previous speakers. I shall try to correct myself. I would like to know how this Consultative Committee as well as the Governor himself is going to function in the State. The Governor is the custodian of the interests of the people of Kerala, because

[Shri Velayudhan]

we are denied of a legislature, we are denied of all democratic institution except this Parliament. As far as I am concerned, I would like to mention a very important point to the Home Minister. When the list of Scheduled Castes was revised by this House last time a grave omission was made. I would like to bring this to the notice of the Home Minister that a community called *pulaya* which was for centuries called untouchable classes, which was in the list of untouchables or scheduled castes, was omitted now. It is a major untouchable class in the State.

Mr. Deputy-Speaker: The hon. Member agreed that I had given him a correct view of the scope of the discussion on this Bill, but even then he wants to proceed on his own lines.

Shri Velayudhan: I only wanted to request the Home Minister so that he or the Governor can issue an ordinance even now to set right wrong that was done by excluding this particular community which is now included in the scheduled tribes.

Pandit G. B. Pant: The order was adopted by this House only recently.

Shri Velayudhan: If I remember aright, the Home Minister told us that the order was only provisional. There was no time to get full details from the Madras Government and a correction would be issued to it. Malabar was in the Madras State at that time. This matter does not relates to Travancore-Cochin. Take for instance of the case of my friend and colleague, Shri Eacharan who represents the *Pulaya* community. He now becomes a scheduled tribe. That is an advancement made by this Government, if it is so. A scheduled caste man becomes a scheduled tribe man. I do not know what further he will become. Will he become a tribal or barbarous person.

Pandit G. B. Pant: All these points were discussed in this House recently and the order was adopted by the House. I did my best to carry out the wishes of the House. I said that in the case of people who belong to these tribes or castes, but are not included in it, I would do my best to see that they get the privileges and amenities which have been extended to them.

Shri Velayudhan: I am not convinced of the point which the Home Minister was trying to put before us because I know he is trying to escape from the main issue. The scheduled castes had a privilege in the Parliament and Legislatures.

Mr. Deputy-Speaker: Let us now leave aside this issue, because it is not relevant.

Shri Velayudhan: I would like to mention another point about the food situation about which the previous speaker has mentioned.

Pandit Thakur Das Bhargava (Gurgaon): You have been placed to give a ruling, though there was no necessity for a ruling. When we are discussing this Bill only relevant matters can come in. I cannot see how the food situation comes in.

Mr. Deputy-Speaker: I may again tell the hon. Member that he should confine himself to the scope of the Bill under discussion. From the exclusion or inclusion of certain people from the Scheduled Castes, the hon. Member has now passed on to the food situation. Where he will end we do not know and the Bill will remain as it is.

Shri Velayudhan: I may tell you that this was a Proclamation which I had opposed from the very start in this House. Now it has come in the form of a Bill. I should tell you that this Government had no business.......

Mr. Deputy-Speaker: I would have to rule it out. That is not the question: Whether the hon. Member had opposed it or not is not the issue now. The question is whether this delegation is to be made or not.

Shri Velayudhan: I am opposing that. That is why I wanted to bring this point. I should tell you that this is a Bill which was necessitated by the misrule of the Congress Government in the State. Now I am coming to the point, as to why this legislation has come. Who is responsible for it? The party is responsible for it.

Mr. Deputy-Speaker: If the hon. Member is not paying any heed to my request, I shall have to help him in concluding his speech. Why this legislation is necessary, why this is not necessary, is not the question now. We have passed certain measures and now the Parliament is vested with the powers to legislate. Whether Parliament should delegate it to the President or not, that is the limited question before us.

Shri Velayudhan: Even if Parliament has passed a Resolution, it has a right to rediscuss it.

Mr. Deputy-Speaker: Not at present, just at this moment. What is before us whether Parliament should delegate these powers of legislation to be exercised by the President or not.

Shri Velayudhan: I would request you to consider one point. When a Bill like this about PEPSU came before us I had an opportunity to speak; again when a Bill about Travancore-Cochin also came here I had an opportunity to speak about the points about which we had spoken on the Resolution.

Mr. Deputy-Speaker: Even if we had made a mistake, let us not repeat it now.

Shri Velayudhan: I submit to your ruling. All this helplessness has been created by the Government in our State because all these things were necessitated because of the corrupt rule that was prevailing in our State.

Mr. Deputy-Speaker: If the hon. Member has nothing else to say, I will have to call another speaker. Has he got to say anything on the Bill?

Shri Velayudhan: This is my point.

Mr. Deputy-Speaker: To that the House has listened.

Shri Velayudhan: Then I shall sit down.

Shri Punnoose: I have nothing against accepting....

Mr. Deputy-Speaker: Many Kerala Members are expressing desire to speak. I would request the hon. Member....

Shri Punnoose: I will not take much time. Five or ten minutes.

There is a short duration before we will have a legislature in Kerala State and till then the administration has to carry on. During that period it is very necessary that at least Members of Parliament are consulted. But I have to point out that the provisions of this Bill, if they are strictly adhered to, will not meet the requirements of the situation.

The President has taken over powers and is now responsible for the Government there, and during these months if the administration is to be carried on in a satisfactory manner, the Home Ministry has to do certain things. I want to know how the Ministry looks at these problems. Either through the formula put in the Bill or through other steps they will have to see that the administration is carried on in a way that is satisfactory and that will meet the requirements of the situation.

I believe we will not have much legislative business during this period, and generally the less the better for his interim period, but the Home Minister was pleased to refer to the Bills pertaining to land reforms. Without attributing any motive to him, and with all my respect for his person, may I be permitted to say that it smacks a little of election propaganda when he referred to the land reforms? These Bills were before the legislature of that State when it was dissolved. Not only that. The Bills were there before the House. They had gone to the Select Committee and the last stage had been reached. Had it not been for the particularly slow policy or delaying tactics followed by the

[Shri Punnoose]

Government then, they would have been enacted, but the House was dissolved, and when the Consultative Committee for Travancore-Cochin was formed, it was said here, and the Congress papers published the news there, that immediately these legislations would be enacted by the Consultative Committee.

Mr. Deputy-Speaker: Unless these powers are delegated, how can that be done?

Shri Punnoose: We had a Consultative Committee for Travancore-Cochin, but the committee met twice or thrice only and nothing was done about these land reforms, and now on the eve of the elections the hon. Home Minister, perhaps not knowing how important these legislations are, says that these Bills may be looked into. But I am sorry that if he is sincere about it—I think he is—he will not be backed by the Members of his Party from that State because they have held up these things. I wish these legislations are taken up seriously by the Consultative Committee.

Then I want to bring home to the Minister that a mere Consultative Committee with regard to legislation is thoroughly insufficient and inadequate for the State today. You will remember that some time back there was a terrific agitation in that State with regrad to the Division Bench,, District Courts etc. What actually happened was that the Administrator there could not gauge the feelings of the people or understand how the State thought about these things and went his own way. That gave room to so much agitation and bad blood. We want to avoid such things sincerely. We want to evolve some machinery by which the Governor can know how people think and take into account popular aspirations and implement certain things. Therefore I have got two suggestions. One is the amendment given by Shri V. P. Nayar, that is, that this Consultative Committee itself should meet in Kerala as often as possible. You may not meet once in three weeks, but once in a month at least there during this period. I also want the Home Minister to consider and ponder over this deeply. He was kind enough to promise the Consultative Committee. I would like him to consider whether we can find out some means by which the various leading political parties could be consulted on the vital issues that face the State.

For example, there is this Second Plan itself. The allotment for Malabar is causing us anxiety. You cannot sleep over it. You cannot say: "We have got the Consultative Committee and we are interested only in legislation", and allow a bad situation to develop there with regard to the Plan for Malabar. We want that Malabar should get its legitimate quota according to its population from Madras State. If Madras State is not in a position to give that, then the Central Government will have to come to our aid. These things must be discussed by the representatives of the various parties. At least the Consultative Committee should be called together for these purposes. So, it has to be widened in my opinion.

Then there are a number of questions. As Shri A. M. Thomas said, the Finance Minister was pleased to say here that the steps taken by the Government to control prices of foodgrains have not affected and will not affect Travancore-Cochin or Kerala, but the thing is that the prices are shooting up, and we want fair price shops in every village. Only one or two are there. I know one step more and I will be very irrelevent. Therefore I am not doing that.

Mr. Deputy-Speaker: I was going to say the hon. Member is also straying into the same field.

Shri Punnoose: The moment you look at me I understand the meaning and I stop.

Shri Chattopadhyaya (Vijayavada): May I make an observation? The point is you ask them to be confined to certain things. Unless the conception is clear, confinement is impossible!

Shri Punnoose: We have to evolve some machinery by which the State can be run during these months. The Home Minister himself knows the acute situation that is arising in the State as a result of the closing down of the cashewnut factories, and 40,000 workers are on the streets. He was pleased to write a letter to us saying that he is considering how this Consultative Committee or any other committee that he has in view will help that.

Shri A. M. Thomas has pointed out the labour unrest even in such an industry as the Fertilisers and Chemicals Travancore Limited financed by the Government where....

Mr. Deputy-Speaker: Just on the eve of elections, every hon. Member is anxious to say certain things.

Shri Punnoose: Even if we have no elections for another three years, I would have said that.

Mr. Deputy-Speaker: These are important things, but they should be said somewhere else.

Shri Punnoose: Of course I hold a different view about it, and I think these things are relevant in so far as the Consultative Committee provided for by this Bill cannot improve the situation. I think I am entitled to say that. I cannot digress on it at length, only so much I say. Therefore, the Government has to tackle the labour unrest.

One thing I wanted to say. The Home Minister is now in charge of that Government. There is a plywood factory owned by the Government there. That factory is now being sold out, I am told, to some private industrialists and they are going to take it away. There is a big agitation over that. To consider all these things I think not only Members of Parliament, but representatives of the various parties have to be associated. It will be extremely unfair and unjust to the Governor himself to ask him to handle all these things single handed and at last land himself in a soup.

I would suggest that this consultative committee should be more active and it should meet more often, so that some real legislation may be immediately undertaken with regard to land reforms. I want the Home Minister to stand by his promise and to see that the Bills that are kept in cold storage in the Ministry are taken out and passed into law without much delay.

Unfortunately, Shri A. M. Thomas was not very much in favour of ceilings on land-holdings. Instead, he said that a special tax should be imposed on holdings above a certain limit. I do not know wherefrom he got that idea. That will be an extremely unpopular idea among our people, because while any amount of tax you may impose will not do any harm to the owners, yet land being a scrace commodity, it will result in enhancing the price of land. What we want, therefore, is a ceiling on land-holdings. That is to say, in a State like Kerala, nobody should be allowed to own land beyond a particular limit. There were certain Bills in this respect pending before the Travancore-Cochin State Legislature before its dissolutions; they are still pending with the Ministry now. I want that those Bills may be taken to the consultative committee, and some legislation in this regard may be undertaken soon.

I have no doubt that the Home Minister is sympathetic towards our problems, although I cannot say that he has succeeded in any great measure in tackling those problems. I believe, however, that if the consultative committee could be made really alive and active, and if it can meet at least once in a month at some place in the Kerala State, something could be done. Shri

[Shri Punnoose]

Datar can with advantage take a trip to Kerala, and he can see also some beautiful places there. I would invite him to that State in order that he may see that the committee functions properly.

Shri Achuthan: As an intelligent follower of you, I shall try o confine my remarks to the relevant points.

Shri Punnoose: Confining is always difficult.

Shri Achuthan: But for the reorganisation of States, we would not have had the opportunity of considering this measure in this House. We had considered a similar measure with regard to the Travancore-Cochin State earlier, and now we are considering this measure with regard to the new State of Kerala. And I hope this will be the last measure of this kind for us to consider in this Parliament, because we expect that by March or April 1957, there will be a legislature in the Kerala State and also a stable government.

As the Minister himself has stated, the Home Ministry has been trying its best to introduce as many legislative reforms as possible within the short period of nine or ten months. He has stated that about thirteen Bills have been enacted. They have been well received by the people there.

Shri A. M. Thomas had referred to the Irrigation Bill a little while ago, and he had stated that we in the consultative committe had categorically recommended that the rates should be given restrospective effect to. It has been stated now that orders have to be issued as a result of which the tenants need pay only the rates that are found in the new Bill that has been passed in July. I do not know how far this is correct and I want to know whether orders have been issued.

As you are aware, even while the legislature was there in the Travancore-Cochin State, there were a number of land reform Bills pending in that legislature. After the dissolution of that legislature, we have been trying our best to see some land reforms introduced in that State.

Some Hon. Members: No.

Shri Achuthan: For instance, there was the case of the Compensation for Tenants (Improvements) Bill.......

Shri V. P. Nayar: That was only extension to an area.

Shri Achuthan: In Malabar area, when it was a part of the Madras State, there was an Act for fixing the fair rent.

Shri Punnoose: Unjust claims, just before the elections.

Shri Achuthan: I think Government can consider the extension of at least that Act to the Travancore-Cochin area also.

Mr. Deputy-Speaker: After all, they are only claims, and they can be made just now.

Shri Achuthan: Even now, there is an Act prevailing in the Malabar region of the Kerala State, which deals with the fixation of fair rents on paddy lands, coconut gardens and other lands. There will be no objection if Government extend that Act to the Travancore-Cochin region also, because until the new legislation is passed, the tenants and the lessees can achive relief at least to some extent under this Act.

Moreover, we understand from the papers that the District Board of Malabar is going to be abolished. There must be some kind of representative institution there. If the Panchayat Act as well as the Village Courts Act, which are now prevailing in the Travancore-Cochin area are extended to Malabar also, there will be no difficulty and the people of Malabar will welcome it also. That is a suggestion that can be put into effect without much controversy, after consulting the consultative committee.

Similarly, there are a number of measures which are in vogue only in the Travancore-Cochin area, and there are some which are in effect only in the Malabar area. If the Acts in one area could be extended to the other area, then the practical advantages of these measures could be reaped by the people of both these regions.

We have a number of other problems in the State of Kerala. I do not want to deal with all those problems, because that will be quite irrelevant. Even then, I would say that at least one or two meetings of the consultative committee should be held in Trivandrum, Trichur or any other place in the Kerala state, with a view to finding out some measures for the solution of those problems, and thereafter the President can pass the necessary legislation, and Parliament can ratify those enactments when it meets next in February or March.

The problem of the cashew industry is also an improtant one. That is another problem where some legislation will be absolutely necessary.

Mr. Deputy-Speaker: The hon. Member promised that he at least would confine himself to the scope of the Bill.

Shri Achuthan: As I said earlier, I am merely giving some suggestions to the Home Minister for dealing with certain specific problems.

Mr. Deputy-Speaker: These suggestions may better be given when the meeting of the consultative committee is held. That would be a better platform.

Shri Nettur P. Damodaran (Tellicherry): He is not following you now.

Shri Achuthan: At least, Government must see that the Fair Rent Act which is now prevalent in Malabar is extended to the Travancore-Cochin area as a temporary measure; practically, there will be no objection to this.

I believe Government are considering a number of other measures also which may probably be brought before the consultative committee in January or February next. I would request that all those measures may be expedited. One or two meetings of the consultative committee may be held in the Kerala State, so that the Minister can visit our place, and he can have the benefit of the views of the members of the consultative committee on matters pertaining to those areas. In the two or three months' time that is available before us, at least a few measures to tackle the problems of this State can be enacted. If that is done, then we can have the satisfaction that the Home Minister has done his best, when he has charge of this State, for the betterment of this State.

Shri Nettur P. Damodaran: I have come into the new State for the last one month and nineteen days only. Out of six Members from Malabar, only two were in the former consultative committee.

Shri V. P. Nayar: Now, you are there.

Shri Nettur P. Damodaran: I am very happy that the committee is now being reconstituted, and all Members of Parliament from this State from both the Houses will be members of the consultative committee. An important meeting of the Members of Parliament from Kerala was convened by the Home Minister on 22nd November, and certain important matters relating to the Kerala State were discussed, and after discussion some decisions were taken. I am sorry to find that those decisions have not yet been implemented.

One of those important matters was in regard to the division of the district of Malabar with a population of 50 lakhs. If I remember right, it was almost a unanimous decision of the Members of Parliament that this district should be divided into three, especially in view of the fact that the Kasargode area of

[Shri Nettur P. Damodaran]

the South Kanara district has been added on to Malabar. There was a small controversy on the location of the headquarters of one of the districts.

Mr. Deputy-Speaker: Does the hon. Member want to reopen all those things now?

Shri Nettur P. Damodaran: They have a connection with the consultative committee. That is why I am referring to them.

Mr. Deputy-Speaker: The consultative committee is in connection with the President's rule; the President's rule is in connection with the misrule of the previous Government; the misrule was in connection with the elections that took place; and the elections took place in connection with our Constitution. So, where are we to draw the line?

Shri Nettur P. Damodaran: Two hours have been allotted for this discussion, and there would not be much to say, otherwise.

Shri V. P. Nayar: I have to speak on my amendment, and so, I will take some time.

Mr. Deputy-Speaker: The fact that two hours have been allotted should not be a ground for referring to these things. Those two hours also will conclude by about 2-25 p.m.

Shri Nettur P. Damodaran: I will conclude in five minutes. I was only trying to point out that there is a certain inconsistency between the decision of the Consultative Committee and certain things happening in Kerala. As regards the controversy about the rival claims of two towns for the headquarters of the District, we also came to a unanimous decision, barring one member who belongs to a communal party, which is a single-member party as far as this House is concerned.

Shri V. P. Nayar: Does it come within the scope of any Bill?

Mr. Deputy-Speaker: I do appreciate that it is very important so far as the hon. Member is concerned. But so far as the House is concerned or the Bill is concerned, it is not relevant.

Shri Nettur P. Damodaran: What I wanted to point out was that certain decisions arrived at by the Consultative Committee had not been implemented, and that certain responsible officers of the Government were touring the district in connection with a matter already decided by the Consultative Committee. The Adviser has been recently touring Malabar, and from reports appearing in the Malayalam papers, especially, the *Mathrubhumi* and other papers, it is seen that he is touring in connection with the location of the headquarters of the district. But the Consultative Committee has taken a decision on this, and the Home Minister accepted it on the floor of the House during the debate on the motion regarding the President's Proclamation, that Cannanore will be the headquarters of the district and the district court will be at Tellicherry..

Mr. Deputy-Speaker: I would point out to the hon. Member that this is not relevant. It should be left where it is. He should come to the Bill, whether this delegation is to be made or not.

Shri Nettur P. Damodaran: I was only bringing out the inconsistency in this matter.

Mr. Deputy-Speaker: Let us concentrate ourselves more on the consistency that is before us.

Shri Nettur P. Damodaran: The decisions taken by the Consultative Committee should be implemented and nothing should be done to make it appear that the decisions of the Committee can be flouted by anybody.

As regards the suggestion made that the Committee should meet in Kerala, I also lend my support to it, Since most of us will not be here for another 2½ months, any meeting to transact business connected with the Government of Kerala may be held in Trivandrum, Earnakulam or Kozhikode, which are the three important centres of the State.

In the Bill, it is said:

> "Provided that before enacting any such Act, the President shall, whenever he considers it practicable to do so, consult a Committee.."

I would like this to be recast so that the President shall, unless prevented from doing so for shortness of time, consult the Committee. I think this would be more in tune with the requirements of our State.

Mr. Deputy-Speaker: Shri C. R. Iyyunni. I am sure that as an elder statesman, he would be very brief.

Shri C. R. Iyyunni (Trichur): I will confine myself to the scope of the discussion.

In this Bill, provision is made for delegation of powers with regard to legislative matters. As Shri A. M. Thomas put it, since we have got a Consultative Committee to be consulted on matters of legislation, it will always be advantageous for the Adviser or the authorities concerned to consult the Committee more often even with regard to problems that arise from day to day. I do not mean to say that it should be possible for them to meet every week. What I say is that there are certain very serious problems which face that State, the tiniest of all States. It is almost considered to be a problem State. In respect of those problems, the views of the Committee may be obtained by the authorities. After ascertaining views the Adviser will be able to do things much more efficiently, satisfactorily than otherwise. That is what I would say. Also, the Committee should met more often.

With regard to certain other matters which are very important, the Committe should be consulted. Take, for example, the Finance Commission. A memorandum was submitted to the Commission. Because the next Finance Commission will come only after five years, it is absolutely necessary that in a matter like this the Consultative Committee must be consulted. Then there are problems concerning food, the quota for Malabar and unemployment. On all these matters, it is desirable that the Adviser should ascertain the views of the Members of Parliament from that area.

Then one other matter, which has also been referred to by Shri N. P. Damodaran, is this. Here it is said:

> "Provided that before enacting any such Act, the President shall, whenever he considers it practicable to do so, consult a Committee.."

Here the word 'shall' is used, which means that he has to do it; of course, there are cases where 'shall' may mean 'may'. But here, if it is to have the meaning of 'shall', the words 'whenever he considers it practicable to do so', take away all the power that the word 'shall' has. After all, it is a matter of consultation. So I would suggest that the wording be altered as follows:

> "Provided that before enacting any such Act, the President shall, unless prevented from doing so for shortness of time or other sufficient reasons.."

Shri V. P. Nayar: To be recorded in writing!

Shri C. R. Iyyunni: Otherwise, the words 'whenever he considers it practicable to do so', take away all the meaning that 'shall' ordinarily has. As I said, after all, it is a question of consultation. Consultation means that consultation may be had; it does not mean that he is going to accept what is said. But 'whenever he considers it practicable to do so' practically whittles down the whole thing, so that it is inconsistent with the idea behind the word 'shall'. Though I have not tabled an amendment to this effect, I hope the suggestion will be accepted by the Home Minister.

[Shri C. R. Iyyunni]

Regarding this measure, it is absolutely necessary. The only thing that I have to say is that greater consultation may be had not merely on matters of legislation but other matters also.

Shri Mathew (Kottayam): Mr. Deputy-Speaker, Sir, I realise that if one has to be relevant, one has to be very brief. That is a very happy realisation.

Mr. Deputy-Speaker: Though it has come very late.

Shri Mathew: I have always realised it, but I do not speak for others.

I was listening to the various points made by my esteemed friends from various parts of the House. I noticed that there were three important points made. One is about the place of meetings. During the next few months, it would be desirable to have these meetings in Kerala itself. That is a proposition with which we would all agree.

With regard to the frequency of meetings, I feel that there is little need to pin it down to some precise formula. What is laid down here is that the President shall, "whenever he considers practicable" to do so, consult the Committee. Now, I do not think there is any need to suspect, so to say the *bona fides* of the President. The President means what he says, or the Government means what it says. There would be no occassion surely on the part of the President or the Government to take refuge behind a certain clause, as it were. I do not think my friend Shri Iyyunni, when he tried to put it in a better way, really succeeded. He wanted to say, 'unless prevented by adequate reasons' or something like that. If anyone will only press those words it can lead to as much evasion as the present clause itself will lead to. But, I think there is no need to suspect any such intention on the part of Government. I feel what is said was genuinely meant and represents cent per cent of what was in the mind of the government.

14 hrs.

The only other thing which I want to refer to and which I consider to be more important—and that is also a point on which I think there is agreement—is that while the scope of the Committee as indicated here is restricted, in practice, as it were, the Government should enlarge the scope so that not merely for the purpose of legislation but for all equally important purposes the President or the Government would surely consult this committee so that this committee would not be restricted to the purposes of legislation only, but will be consulted for other purposes also. That I consider to be a more important point.

I felt that, leaving aside irrelevant things, there was almost practical unanimity on the part of the various Members who have spoken and I am glad to subscribe myself to those points of relevant agreement as it were.

Pandit G. B. Pant: We were told by one of the hon. Members that certain remarks had been made by me or certain references to land reforms had been made because of the proximity of election. Perhaps, he was giving expression to the working of his own mind. It seems to me that election being so near, every Member from Kerala has considered it necessary to make such sort of observations and I hope that to the extent they have considered it necessary to make these speeches here, the people of Kerala as well as the Government will take note of them and try to carry out their wishes except when they do not happen to be in public interest.

Reference has been made to the desirability of our consulting the Consultative Committee. Misconceived suspicions linger even though actions may not justify such suspicions at all. I might remind hon. Members that I held a meeting of the Members of Kerala even before any Consultative Committee had been formed and I consulted them with regard to matters which do not pertain to legislation. If action is ignored and still doubts are entertained, it is difficult to dispel.

One hon. Member also said that certain decisions had been taken which had not been carried out. He seems to think that once a decision is taken, then, next morning, it must blossom into concrete shape. The division of a district like Malabar into three districts, obviously, takes some little time. But, orders were issued the very next day on the basis of the suggestions that were made at that meeting. I am anxious to serve the people of Kerala and I would not be happy if I were forced to ignore the advice given by the Members of Kerala. We rely on them for carrying on the affairs of Kerala in a satisfactory way. So far as the decisions taken by Government are concerned or the legislative measures that were issued they were all based on the advice tendered by the Members from Kerala. Well, some individuals might not have agreed; but they certainly embody the consensus of opinion of the Members of the Committee. If within a committee there were any dissenting minority, we could not be expected to ignore the wishes of the majority and to act in an undemocratic way. That would have given rise to still greater dissatisfaction. But, so far as I am concerned, I would like all matters to be decided, if at all possible, by unanimity so that the real good of Kerala may be ensured and achieved almost with the goodwill of every one.

So far as land legislation is concerned, I may say that if it is a very controversial measure, we would not like to force it. Even here, I have seen that there is a difference of opinion. Shri Thomas said one thing and Shri Punnoose said something else. Would they like us in such cases to frame a Bill according to our own wishes or would they like the new Legislature to take up matters of this type? We do not want, in any way, to flout the wishes of the people or of the committee. It will be for them to consider all matters. But, so far as I am concerned I would like to consult the committee with regard to all these legislative measures and wherever convenient necessary, also with regard to other matters.

We have appointed a big committee. This is the first time that all Members of the State have been included in the Committee. Otherwise in previous Consultative Committees only some of the Members belonging to the State concerned were included. We have done this because it is my desire that we should have the benefit of the advice of all Members who have come from Kerala.

I would like to say about land law, we have, in the course of the few months that we have been incharge, passed a number of measures such as the Travancore-Cochin Indebted Agriculturists Relief Act, the Travancore-Cochin Land Conservancy Act, the Travancore-Cochin Irrigation Act, the Travancore-Cochin Compensation for Tenants Improvement Act and so on. After all, I may be excused for saying that we have in this regard done more during the few months that we have been incharge than, perhaps, others had been able to do during the years they have been in charge of the administration of this State.

Then, with regard to fair price shops, it was said that there were only 5 or 10 shops. I find from the figures that have been supplied to me—and they have been printed and published in the book that was circulated here—that 165 wholesale and 2,621 retail fair price shops have been opened, so far, and more shops will be opened according to necessity. There is apparently some mistake somewhere because, I think, there is a considerable difference between 5 and 2,621. It is only 500 times as much as 5.

We were told that for 'President' we should have the 'Home Minister' or the 'Minister in the Home Ministry'. In fact, that is implication but

[Pandit G. B. Pant]

that is the form in which the law has to express itself. Because, under article 77 of the Constitution, all executive power and action has to be carried on in the name of the President. But the President is advised by the Government. So, no amendment is necessary. This is the form in which previously all Bills have been framed. There need not be any doubt on this score.

Shri V. P. Nayar: But this is not executive power.

Pandit G. B. Pant: Well, it is not legislative power. What is not legislative is executive.

Shri V. P. Nayar: We are delegating the legislative power of Parliament.

Pandit G. B. Pant: Then, a suggestion has been made that we might meet in Kerala. I would very much love to be in Kerala. If the exigencies of public business allow, I would certainly like to meet other friends there. It is a fine place and everyone who has gone there has spoken very highly about it. I myself am hankering to be there. So I would very much like to carry out the wishes of hon. Members. If I am not able to do so, they will, I hope, agree that it must be not because of lack of will but because of other circumstances which may be beyond my control.

I do not know if there was any other point raised here, but I wish that we, during the short time that we have at our disposal of three or four months, may be able to do something that will prepare solid ground for the democratic government that will be set up there. That has been our ambition throughout and that will continue to be our aspiration. In that regard I would count upon the co-operation of every hon. Member.

Shri V. P. Nayar: Can we also submit Bills for the Consultative Committee?

Pandit G. B. Pant: The time at our disposal is very short.

Shri V. P. Nayar: We have enough time.

Pandit G. B. Pant: You have enough time, I do not know. Otherwise you would have sent such Bills informally.

Shri V. P. Nayar: But there is no power.

Pandit G. B. Pant: If there is no power, then I cannot give the power which is not there. Anyway we can discuss that between us. I would not like to commit myself to anything more than what is in the Bill. But let us all hope that we will work in an accommodating spirit on this side.

Shri Punnoose: Can I have a clarification from the hon. Minister? In our Committee meeting we had almost unanimously decided with regard to the headquarters of the district of Malabar.

Mr. Deputy-Speaker: That is not a clarification out of this.

Pandit G. B. Pant: I remember the decision that was taken, and so far as I am concerned, I would like it to be carried out. As I said, instructions have already been issued.

Mr. Deputy-Speaker: The question is:

> "That the Bill to confer on the President the power of the Legislature of the State of Kerala to make laws, be taken into consideration."

The motion was adopted.

Clause 2 was added to the Bill.

Clause 3— (*Conferment on the President of the power of the State Legislature*)

Mr. Deputy-Speaker: There is Shri Nayar's amendment to clause 3.

Shri V. P. Nayar: I beg to move:

Page 1—

after line 20, *add*:

> "Provided further that when the President cannot himself consult the Committee, he may delegate the authority to the Home Minister or the Minister in the Ministry of Home Affairs:
>
> Provided further that such Committee shall meet at least once in three weeks in any place in Kerala State considered convenient for the purpose."

I have nothing much to say about the amendment, because irrespective of parties, almost all Members have supported my amendment, especially the latter proviso stipulating that the meetings should be held in Kerala State. I hope the Home Minister would be sympathetic. What I request him to do is to accept this amendment so that we can have the meeting there as of right. No further arguments are necessary, because the Home Minister knows that it will be of very great inconvenience for us to meet in Delhi.

Mr. Deputy-Speaker: The choice is there—either the amendment should be accepted or the assurance should be accepted.

Shri V. P. Nayar: If it is an assurance, as he said, let us have the opportunity of meeting there. Otherwise the Committee cannot meet there.

Mr. Deputy-Speaker: Amendment moved:

Page 1—

after line 20, *add*:

> "Provided further that when the President cannot himself consult the Committee, he may delegate the authority to the Home Minister or the Minister in the Ministry of Home Affairs:
>
> Provided further that such Committee shall meet at least once in three weeks in any place in Kerala State considered convenient for the purpose."

Pandit G. B. Pant: I need not repeat what I have said already.

Shri V. P. Nayar: We want the Consultative Committee to meet at least within a definite time so that our people can know that matters are being considered at such and such time.

Pandit G. B. Pant: I am afraid all of you will be busy with the elections.

Shri V. P. Nayar: We will find time to tender our advice.

Pandit G. B. Pant: We find it difficult to transact business for want of quorum......

Mr. Deputy-Speaker: That will also depend upon the volume of legislation that is there. Should I put the amendment to the vote of the House?

Shri V. P. Nayar: If the hon. Minister gives me an assurance, it is sufficient.

Mr. Deputy-Speaker: Whatever is given is there; we cannot add to it. May I know whether the hon. Member accepts it or not.

Shri V. P. Nayar: I would like to withdraw my amendment.

The amendment was, by leave, withdrawn.

Mr. Deputy-Speaker: The question is:

> "That clause 3 stand part of the Bill."

The motion was adopted.

Clause 3 was added to the Bill.

Clause 1, the Enacting Formula and the Title were added to the Bill.

Pandit G. B. Pant: I beg to move:

> "That the Bill be passed."

Mr. Deputy-Speaker: The question is:

> "That the Bill be passed."

The motion was adopted.

UNION DUTIES OF EXCISE (DISTRIBUTION) AMENDMENT BILL

The Minister of Revenue and Defence Expenditure (Shri A. C. Guha): I beg to move:*

> "That the Bill to amend the Union Duties of Excise (Distribution) Act, 1953, be taken into consideration."

The Bill is a simple measure and it is only intended to implement the interim recommendations of the Finance Commission for the provisional distribution during the year 1957-58 of 40 per cent of the net proceeds of the excise duties on tobacco, matches and vegetable products amongst the various States. As the hon. Members are aware, the distribution of the net proceeds of these duties has to be made by law of the Parliament under article 272 of the Constitution.

The Interim Report of the Finance Commission was laid on the Table of this House on the 13th December last along with an explanatory memorandum stating that the recommendations have been accepted by Government. The Report explains the reasons which have led the Commission to give an interim award and the basis on which it has been made. I do not propose to weary the House by going over this ground again at this stage. The payments to be made in the coming year on the basis of this Report will be readjusted in the light of the decision to be taken on the final recommendations of the Commission for which necessary legislation will be undertaken during that year.

14.16 hrs.

[PANDIT THAKUR DAS BHARGAVA *in the Chair*]

Subject to minor adjustments resulting from the changes brought about by the States Reorganisation Act, 1956, and the Bihar and West Bengal (Transfer of Territories) Act, 1956, and by the inclusion of the share due to Jammu and Kashmir State, the percentage shares of the various States follow broadly the percentages given in the original Act. At the existing rates of excise duties and on the basis of the current year's estimates, the payment to the States would amount to Rs. 18.2 crores. The amount for the coming year, however, would depend upon the actual net revenue from the excise duties on these three articles to be realised during that year.

Mr. Chairman: Motion moved:

> "That the Bill to amend the Union Duties of Excise (Distribution) Act, 1953, be taken into consideration."

Shri V. P. Nayar (Chirayinkil): This Bill, I am afraid, is not so simple as it is stated to be. As far as I can see, it seeks to provide for provisional arrangements for distribution of certain incomes which the Government get from Central excise in respect of certain commodities. I went through the Interim Report of the Finance Commission, but I could not find the basis on which this distribution has been made. I am not certain whether the various States get their contribution in percentages on account of their population or on account of the actual revenue which they contribute from within their territories to the Central excise. I would like to know which is the basis because there is no indication in the Report, although the previous Finance Commission's Report would suggest that it is based on a *per capita* distribution. As far as I can see, the allocations now proposed to be made have a little variation from what was proposed under the Finance Commission's Report in 1952. Some States get a lesser percentage and some States are entitled to a greater percentage. But I want to know whether in distributing these funds, the only consideration which has been taken into account is the consideration of the contribution of that particular State and its population or whether the requirements of finance to meet the budget of the

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*Moved with the recommendation of the President.

State has also been taken into account. If that be so, there are other recommendations of the Finance Commission. These interim recommendations provide for certain grants in lieu of a share in the export duty on jute and jute products. There are also grants-in-aid under article 275(1) of the Constitution. I want to know when the hon. Minister gives a reply, whether, consistent with these recommendations, allocations of percentages have been arrived at or whether it is independent of such recommendations, that you find in the interim report and whether this has been made on an *ad hoc* basis. If it is so, I would like him to remember that percentage of 3.86 fixed for Kerala should not be as low as that. My reasons are based on the very peculiar conditions obtaining there. In the distribution of central revenue to the various States, especially from the Central excise, one has to consider the basis and also the actual requirements of the State. I am not worried about mathematical proportions but I plead that Kerala is entitled to a higher contribution on account of two reasons.

One is that the most under-developed territory, which was formerly in the Madras State, has now been given over to the Kerala State. According to the original recommendation of the Finance Commission—I refer to page 103 of the 1952 report the grants-in-aid to Mysore amounted to Rs. 40 lakhs and to the old Travancore-Cochin State, Rs. 45 lakhs. What do we find now? Apart from the developed place which comprises the Travancore-Cochin area, we have the under-developed Malabar also to look after. To my surprise, I find that while the previous Commission recommended Rs. 45 lakhs to the old T. C. State, the present Finance Commission's interim report gives only Rs. 40 lakhs to the whole of Kerala. In arriving at this percentage, if this point has not been taken into consideration, I submit it is going to create a very serious handicap to the whole State.

There is also another factor which no other Indian State has had the misfortune to suffer. You know that the major part of the Kerala State was under the rule of the princes and for ages, the economy of Travancore and Cochin, which now form a greater part of the Kerala State, has had very peculiar developments. We had our own customs and we had our own revenues from ports. In those days, you will realise that Cochin port did not yield the present income. The result was that long before any other State in India could think of having revenue from the land as a basic tax, the T. C. State could fix land rent as a basic tax. No other State thought of it. What we would suffer from this could have been augmented by the customs and our gap in the Budget could have been filled up. This is not a process of one or two years. I am not going to trace the history of our commercial adventures, 2,000 or 3,000 years back. We had trade with the foreign countries 3,000 years back. I am not going to enter that field. If you take the history of the State and the development of the State for the last one hundred years, you will find that although we had our own separate customs and separate excise, it was not at profitable rates. Even as early as 1865. I find that when there was a difference in the rates of levy of excise and customs between the ports of India administered under the British rule and the Travancore Government, both the Governments entered into an agreement—what was called the 'Inter-Portal Agreement.' The Travancore Government bound themselves in agreement with the British Government. "We shall levy for our customs only the rates at which the British customs ports also levy." This is a serious matter because if we were realising the levy at the rate prevailing outside, we could get a substantial amount being a maritime State being a State which had so much of exportable commodities. To the detriment of our food production we were able to raise commercial crops because of the more pressure on land. In Travancore-Cochin, fifty years ago, if we were self-sufficient in food, today we are not. Today, that State

[Shri V. P. Nayar]

has to buy more food than any other State. The result is that wherever there was cultivation of food crops, we switched over to commercial crops and that now goes to the advantage of the Government of India as a whole in getting the much desired foreign exchange. I hold—I am subject to correction that if not the topmost, we shall be one in the topmost, in the *per capita* contribution of experts.

If that is the position, firstly the State Government's possible receipts from the land revenue are very much restricted because of the basic land tax. There is no question of reopening of it. It will take perhaps years to follow for the other States. When the basic land tax was introduced we were in a prospective condition; we were independent with a growing reliance; we were able to establish in the other countries a growing demand of our near monopoly commodities in the world markets. Because of various other factors, we could realise money from the customs and excise.

After the federal financial integration of 1950, the position is different. We can still realise only the land revenue based on this basic land tax. We have surrendered the entire excise to the Central Government and in return we get only a *per capita* allotment. If the 3.86 per cent. is indicative of the *per capita* distribution, I have to submit this.

The Minister of Finance and Iron and Steel (Shri T. T. Krishnamachari): May I point out to my hon. friend what the Commission had made clear in the report which we have placed before the House:

> "We recommend that the decisions taken by the Government of India on our final report should be given effect to from 1-4-1957 and the payments made on the basis of this report readjusted against the final payments. We wish to make it clear that the interim recommendations should not be taken as giving any indication of the views of the Commission. We are engaged in the reassessment of the financial position of the Central and State Governments and our final decision will depend upon this reassessment. The interim recommendation should not, therefore, be considered as in any way committing us in regard to the principles of distribution of revenue or assistance by way of grants-in-aid."

May I humbly submit that my hon. friend is stating as though they have given the final recommendations?

Shri V. P. Nayar: Certainly not.

Shri T. T. Krishnamachari: At present he need not go into it because this is a simple measure intended mainly for the Finance Ministry to adjust its Budget during the current year subject to certain changes which have occurred because of the SRC Report.

Shri V. P. Nayar: The hon. Minister is mistaken because for one thing I never stressed the point that this is the final recommendation. I have read this passage with as much interest as he expects me to devote. Secondly, I have not seen an interim recommendation of any authentic commission being changed in a latter recommendation or Government stepping in and then changing the recommendation. That is why I fear that this declaration of the view of the Commission in an interim report leads me to the conclusion that the final report will not be fundamentally different. Apart from that, there is this point. Supposing for the sake of argument, this allocation of 3.86 per cent. is changed to five per cent. for one year, my State will get over a crore of rupees which is not a joke. That is why I say that if this proportion is fixed on an *ad hoc* basis, either on *per capita* or on other factors on which the Commission has made its recommendation, it needs revision.

Mr. Chairman: The Commission itself has said that this is not the final recommendation. They have not taken the entire things into account. They say that the basis for this allocation regarding the other States leaving out the three States—is the same as it was before, without going into the merits.

Shri V. P. Nayar: This recommendation or allocation is not the only recommendation in the interim report. There are two other recommendations also, and I believe that each recommendation has a bearing on the other. The total division of percentages has been arrived at only on the basis of subsequent decisions—which also may be interim but I am not worried—but the fact remains that while this is designed to give an interim recommendation on the allocation from these revenues, it also specifically states that Assam, Bihar, Orissa and West Bengal may be given Rs. 75 lakhs, Rs. 72 lakhs, Rs. 50 lakhs and Rs. 152 lakhs respectively. I have a feeling that even these are too small, because for West Bengal Rs. 152 lakhs is not the share which is due. Likewise you will find in the case of Andhra Pradesh.......

Mr. Chairman: At 14.30 hours we have to take up the Central Excises and Salt (Second Amendment) Bill, 1956. May I know whether the hon. Member is likely to take some more time?

Shri V. P. Nayar: Yes, Sir.

Mr. Chairman: He may continue his speech on the next day.

CENTRAL EXCISES AND SALT (SECOND AMENDMENT) BILL

The Minister of Finance and Iron and Steel (Shri T. T. Krishnamachari): Sir, I beg to move:

> "That the Bill further to amend the Central Excises and Salt Act, 1944, be taken into consideration."

The House would recall that while replying to the debate on the Finance Bills the other day, I spoke at some length in regard to the need for some elasticity in the matter of taxation, particularly in the context of economic conditions as they exist today. In fact, this measure is more or less in tune with what I mentioned to the House the other day.

I have also indicated in my statement while introducing the Finance Bills about the strain that the economy is now put to, as a result of which the prices of a number of essential commodities, including some articles of indigenous manufacture as well as some articles of import, have recorded a rise which, I think, in many cases are out of proportion to the cost of manufacture.

It would also be necessary for Government to take steps, perhaps, to control imports in a manner in which they would not normally do so having in view the necessity to keep the economy under even keel, but we are prepared to do so because of foreign exchange considerations. Therefore, I expect that the House will agree with me that every possible step has to be taken to ensure that matters do not get out of hand.

The Bill which I am moving now is desired to secure some of these objectives. Hon. Members will be aware that at the time when the proposals for cotton fabrics duty increases were placed before the House, the House took a keen interest and also voiced certain fears whether the measure would serve the purpose for which it was being designed. In fact, it has happened, by and large, that prices have not got out of hand. The tendency that was very visible right about the end of August was kept in check; in some cases, perhaps, it has come down. Even consumption now is more or less normal. People might complain that there are accumulations of stock but the position is more or less normal. I am not sure whether the position will remain like that, because one of the circumstances that have really helped in that situation happens to be floods and the cutting off of communication. And, to some

[Shri T. T. Krishnamachari]

extent I must confess, and I am happy to say that it is something which gives one some heart, that the people, by and large, did co-operate. In very many places people responded to the appeal not to pay higher prices.

Well, that measure has to some extent succeeded in the objectives for which it was framed and, knowing as I do the great amount of hesitation I had been trying to force on the House a measure which it did not like at first sight, I must feel that it has not done any harm to the economy but, on the other hand, it has done us some good.

Of course, Sir, I would like to say that I am not quite so sure even with regard to the question of cloth whether the position in the immediate future is going to be as it is today. Oftentimes the consumption which does not take place is deferred. The marriage season is coming and if crops are reasonably good one has to expect that the demand will increase. I do hope that some production will increase in the meantime and we may not be in a situation similar to what we were in August. But that is all I can say in regard to cloth at the present moment, excepting again to underline that the results that we have achieved are very largely due to public co-operation, and that is the thing on which I am counting so far as the fulfilment of the Plan is concerned.

That merely indicates that the step that we took on that occasion, if viewed seriously and carefully, might perhaps help us also on other occasions in regard to other commodities. I am not in a position to say on what commodities we should have that power. If I were in that position I would probably have enumerated the commodities but, at the same time, enumerating the commodities itself is an indication for the man who does a sort of cornering commodities to corner those commodities. If an emergency measure has to be used, it is better that it is used quickly and with a certain amount of restraint rather than now say that I am going to raise duties on A, B, C, D, E, F, G and H. That would not be wise.

The other factor also, as this is the main excuse for my bringing this measure before the House, is that the House is now to adjourn except for a short session. Now the House will meet in March for a specific purpose, namely, to allow Government to have funds to carry on its operations. We are not likely to re-assemble for a period of more than five months. Much can happen to the economic situation in the meantime.

I have already referred to the strains and stresses which this economy is now undergoing and, as I said, some of the steps we are likely to take in the immediate future for the purpose of safeguarding certain aspects of the economy are in themselves likely to add to these strains and stresses. I am sorry it will have to be so, but it seems inevitable. While every conscious effort has been and will continue to be made in order to keep these forces in check, I am not in a position to foresee in detail how the situation will change so that I can put a specific proposal before the House now.

So far as cotton cloth and art silk yarn are concerned, while in the present legislation powers are given to us which allow us to raise it or lower it as the case may be according to circumstances, I should like to give this assurance that this measure, if the House approves of it, will not be used in the case of cotton cloth or art silk yarn. But in respect of other excisable commodities it is considered desirable that Government should be armed with a certain limited power to deal with an emergency if and when it arises. It is for this reason that I venture to come before the House with proposals contained in the Bill.

I would like, again, to say that it is essentially a precautionary measure. If it is unnecessary for us to use the power that we are asking the House to give us, nobody would be more happy than I am. I would not like to deal with a taxing power for a purpose which is not in the main intended to produce revenue. That, I think, the Finance Minister of the day, whoever he might be, will bring before the successor to this House sometime in May next. That will be for the purpose of gathering revenues. The main purpose is not to gather revenues though incidentally it is so.

Sir, I do not have to tell the House the scope of the Bill. The scope of the Bill is to give power to raise the existing excise duties up to a maximum of 50 per cent. There is a little doubt raised by the words used, and I think my friend Shri Tulsidas, being alert as he is, has said: "50 per cent. of the duties as they are at the time this Act is introduced". Well, he may be right. That is my intention. That is, undoubtedly, the intention of the Government and, if Government says this is the intention and Parliament accepts that intention, Government cannot under any circumstances bypass that intention. But I do not think his amendment would fit in with the Bill because, as I am asking the House to pass this measure, it will be enforced for a year. It might be that in the next Finance Act, who might raise the duties. Then, I am afraid, this Bill will have to be interfered with again. But I can give this assurance to the hon. Member that it is not our intention to allow the multiplier effect to operate. That is to say, if I raise the duty on commodity X by 50 per cent and then, if I say it is again increased by 50 per cent, it is not that instead of being 150 per cent, it will be increased by 50 per cent of 150 per cent, i.e. it will become 225 per cent, and so on. It will not be so. It will only be an increase by 50 per cent in the aggregate and nothing more.

Mr. Chairman: From the words in the Bill, the other interpretation is also possible.

Shri T. T. Krishnamachari: I have asked the Law Ministry to look into it, but the amendment that is proposed by my hon. friend does not fit in. Anyhow, I will have the matter examined before we finish.

In order to maintain the quantum of protection to the indigenous industry which becomes liable to such an additional excise and following normal fiscal principles, the Bill provides further that a countervailing import duty to the extent of such enhancement in the excise duty would *ipso facto* come into operation; that is to say, if you do not do anything with an excisable commodity, the other thing will not operate. But, if it does, it stands to reason that it should act in both ways. That is why the Bill provides for an increase in the countervailing import duty to the extent of the enhancement in the excise duty.

The point I would like to mention is that the Bill is intended to operate only for a period of one year and perhaps a week or 10 days as the case may be. I do not think it will be necessary for us to continue it. If it is necessary to continue it, it may be in some other form. Then it is for the appropriate legislature to weigh the *pros* and *cons* and then decide. For the time being, all that we are asking is that this will operate for one year and not more.

At this stage, I cannot say anything more except to repeat once again that I shall be most happy if I do not have to use this measure. I shall be happy if the economy is such, if the supply is coterminus with the demand that Government do not have to intervene at all. If I really want to raise additional revenue, the time will be when we come to the House with specific proposals for increase in revenue. This is not intended to raise revenue primarily, though incidentally it does.

Mr. Chairman: Motion moved:

"That the Bill further to amend the Central Excises and Salt Act, 1944, be taken into consideration."

Shri A. M. Thomas (Ernakulam): May I know the time-limit for this Bill?

Shri N. C. Chatterjee (Hooghly): I think it is 5 hours. Discussion will go on till 6, when there will be a debate on Mr. Kamath's motion. After that, the discussion will be resumed.

We have listened to the speech of the hon. Finance Minister. I hope that the last words that he uttered would be a reality, namely, that he will not have to use this power which he is taking. But, I am raising one point, which is a constitutional one. I request you to consider it seriously. Is a measure of this kind which purports to give a charter or a licence to the executive to impose taxation consistent with our Constitution?

Article 265 of the Constitution says:

> "No tax shall be levied or collected except by authority of law".

We have provided this carefully. You know there was no such provision in the Government of India Act. In England, since the days of *magna carta* they have been struggling for the House of Commons to get complete prerogative of taxation and oust the prerogative of the Crown. From the days of the Bill of Rights, the levying of tax by the executive by prerogative has been struck down as illegal. We have adopted the American Constitution. You were also one of the parties to making this Constitution. Article I, S.8(1) of the American Constitution says:

> "The Congress shall have power to lay and collect taxes, duties, imposts and excises."

Our Constitution says:

> "No tax shall be levied or collected except by the authority of law".

As you know, the Supreme Court has laid down that "law" means parliamentary legislation. Therefore, is it open to us to permit any kind of delegated legislation in this field of taxation, which is completely left under the Constitution to the legislative wisdom or discretion of Parliament? If we delegate the power to the executive to impose any tax or increase any tax or duties, are we not infringing article 265, which says that no tax shall be levied save by the authority of law, i.e. by the authority of Parliament? You must consider that this imposition of financial burden on the citizens can be made only by parliamentary statute or by law enacted by Parliament. Tax imposed through executive order by virtue of any kind of delegated legislation, I submit, will be repugnant to cur Constitution and will not be legal. Taxation, in order to be valid and legal, must not only be authorised by parliamentary statute, but must also be levied and collected in strict conformity with the parliamentary statute. That means, in my humble opinion, that the statute itself has to be self-contained. It shall determine the rate or the quantum of the levy. If the duty or tax has to be increased, Parliament has got to do it. Otherwise, this will not be in conformity with the mandatory provision of the Constitution. Any imposition of tax or excise duty must be by means of direct legislation of Parliament, which should be self-contained.

Of course, I do not say that there is in this case completely uncanalised or unfettered power given to the executive to do whatever they like, because the hon. Minister was good enough to provide in this Bill a ceiling. But, the choice of the articles—excisable articles—is completely unfettered. The hon. Minister says he will try to minimise the scope of the mischief, but as the law stands, it would be a delegation of legislative power by Parliament to the executive in order to enable the executive to levy taxes on any goods it likes.

Shri T. T. Krishnamachari: No; only those goods on which excise duty is chargeable.

Shri N. C. Chatterjee: That is quite an extensive range. The sovereignty of Parliament in the matter of taxation must be maintained unimpaired. Otherwise, if we have a capable Finance Minister, Parliament can legislate that he shall levy whatever taxes he likes, thus doing away with Budgets and Finance Bills. It may be that the taxation measures by such a Finance Minister would be effective and quite rational; but, we cannot enact such a law. It will not be legal or constitutional or in conformity with the fundamental tenets of parliamentary democracy. Therefore, I am afraid this is not the type of legislation which is valid or constitutional. You remember, Sir, after the Congress movement of 1943, Ordinance No. 2 was promulgated and a large number of persons who participated in it were ordered to be hanged or given other sentences. That was challenged before the Federal Court and then Chief Justice Varadachariar struck it down as illegal. The then Advocate-General, Shri B. L. Mitter, who appeared against me—I was for the detenu—pointed out:

> "The true distinction is between the delegation of power to make the law which necessarily involves a discretion as to what it shall be, and conferring authority or discretion as to its execution, to be exercised under and in pursuance of the law. The first cannot be done, to the latter no valid objection can be made."

Chief Justice Varadachariar struck down the ordinance. I had the privilege to submit:

> "Let us accept the American decision as correct. What is the position? Delegation of power to make the law is illegal, but conferment of discretion to the executive as to the execution of the law to be exercised under the law is legal."

I am submitting this legislation comes under the first category. This is a delegation of power to make the law and therefore I submit this is not legal.

14.51 hrs.

[MR. SPEAKER *in the Chair*]

This will really amount of abdication of the functions of this Parliament. This is not conditional legislation. You remember since the case of Rex V. Burrah the law is fairly clear that you cannot have delegated legislation. You can only have conditional legislation.

Chief Justice Mahajan in the great case of Delhi Laws Validity Act said:

> "The nature of the duty discharged by the Legislature is such that it is implicit within it that it should be discharged by the person entrusted with it and by no others. In other words, the nature of the public duty itself demands it and the principles of legislation require it. I cannot accept the position that in the absence of an express or implied provision in the constitution legislative authority can be bestowed on other persons."

Mr. Justice Mukherjea also said:

> "As regards constitutionality of the delegation of legislative powers the Indian Legislature cannot be in the same position as the omnipotent British Parliament and how far delegation is permissible has got to be ascertained in India as a matter of construction from the express provisions of the Indian Constitution. It cannot be said that an unlimited right of delegation is inherent in the legislative power itself."

[Shri N. C. Chatterjee.]

Therefore what I am submitting is this. This is an unconstitutional delegation of legislative power. After all the sovereignty of the Parliament should be kept unimpaired in the matter of finance. We are the sole repository of that sacred trust and that cannot be shared with or abdicated or delegated to anybody.

I know the hon. the Finance Minister may refer to the Indian Tariffs Act where similar provisions are there. But the Tariff Act is of 1934 and there also you will find that it is only for a specific purpose. There in regard to levy of duty, standard rate and preferential rate are specified. Section 4 of the Act says that where for the purpose of making the protective policy effective emergency power can be taken by the Central Government to increase or levy export duties. That is only for a specific purpose. It is not simply a power which can be assumed by the Central Government in a given contingency and even there it may be subject to comment.

What I am submitting is that in this domain, in the domain of taxation, in the domain of imposition, in the sphere of levying any burden on the citizens, there is no scope for the intrusion or superimposition of any other authority, however qualified it may be. I am not saying there may not be a case for such intrusion. But then you have got to alter your Constitution. Taxation by executive order is repugnant to all concepts of democracy. I am not merely thinking of constitutional propriety; I am thinking of constitutional validity or legality. Chief Justice Varadachariar also referred to a judgment of the American Supreme Court and there they said:

> "This Congress is not permitted to abdicate or to transfer to others essential legislative functions with which it is vested."

This power to levy tax is essentially a legislative function with which this Parliament is vested. Then there are other Acts.

Mr. Speaker: In the Sea Customs Act also there is provision.

Shri N. C. Chatterjee: I would now refer to the Provisional Collection of Taxes Act, 1931. At that time the Central Legislature had complete authority. There also the power to make declarations under that Act was given in Section 3, but a specific provision was made that whenever Parliament rejected it, or amended it, then there must be refund. This is the provision—

> "*Certain refunds to be made when declarations cease to have effect.* (1) Where a declared provision comes into operation as an enactment in an amended form before the expiry of the sixtieth day after the day on which the Bill containing it was introduced, refunds shall be made of all duties collected which would not have been collected if the provision adopted in the enactment had been the declared provision..."

If you look at the Bill which the hon. the Finance Minister has introduced you will notice a significant provision. Look at clause 2 which gives power to the Central Government to increase any of the excise duties. Then sub-section (2) says:

> "Every such notification shall be laid before Parliament, if it is sitting, as soon as may be after the issue of the notification, and if it is not sitting, within seven days of its reassembly, etc."

I maintain this is a flagrant violation of article 265. Even when the Parliament is sitting the Finance Minister is given power to add to the excise duty up to 50 per cent. As I said, this is not in conformity with the Constitution. This is something *ultra* *vires* the Constitution. I can understand his taking power when Parliament is not sitting. He cannot come before Parliament to appeal to it for getting the necessary funds for certain purposes. But he wants power to issue notification even when Parliament is sitting. Then he would place it before Parliament when it is in session, as soon as it is possible for him to do so. Then

> "the Central Government shall seek the approval of Parliament to the notification by a resolution moved within a period of fifteen days beginning with the day on which the notification is so laid before it; and, if Parliament makes any modification in the notification or directs that the notification should cease to have effect, the notification shall thereafter have effect only in such modified form or be of no effect, as the case may be, put without prejudice to the validity of anything previously done thereunder."

This goes directly against the provisions in the other statutes, particularly the Provisional Collection of Taxes Act. This is only confiscation. It directly nullifies Parliament's decision. It is not treating Parliament with respect. Parliament might disapprove of the notification; it may amend it; it may threw it out, but whatever has been done under executive order stands. Even if Parliament sets it aside, you will stick to the money.

Sub-section (4) says:

> "For the removal of doubts it is hereby declared that any notification approved by Parliament, whether with or without modifications, may be rescinded by the Central Government at any time by notification in the Official Gazette."

This is a power, which I submit, is not in conformity with the Constitution. This will merely be reducing parliamentary sovereignty to a mockery. You are taking powers of taxation by executive prerogative, or executive order. Even if Parliament approves, you can rescind it at the next stage.

15 hrs.

This is bound to be passed on to the consumer and however much eloquent speeches are indulged in from the Treasury Benches, and references made to the 'mopping of excessive profits,' the unfortunate consumer will have to pay ultimately for these duties and therefore I would like to say that we have to be careful before we part with any of our powers, and unless the Constitution is amended, I doubt whether it will be legal or valid; in any event, it will not be in conformity with the spirit of the Constitution.

Shri T. T. Krishnamachari: May I ask the hon. Member if he raised a point of order or he objected to the merits of the Bill on the ground that the Bill is contravening the Constitution?

Shri Gadgil (Poona Central): I do not think he has raised any point of order.

Shri T. T. Krishnamachari: What he said was it is *ultra vires* or he seeks to indicate that it is not *intra vires* because it offends the provisions of Article 265 of the Constitution. I merely want to know if it is not a point of order. That is all.

Shri Gadgil: Whatever he quoted also disproved his own case.

Shri N. C. Chatterjee: In one or two cases you have yourself allowed the matter to be decided by the House. You never took upon yourself the question of *intra vires* or *ultra vires* of a statute. I only raised the legality of the statute and said that it was repugnant to the Constitution. You usually allow hon. Members to make their points and let the Parliament decide. I am, therefore, appealing to the House to decide this matter of the legality of the statute.

Shri Gadgil: Is it contended that it is *ultra vires?*

Mr. Speaker: He said so.

Shri Gadgil: In that case, the tradition of this House has been that the Speaker has never ruled anything as *ultra vires* so far and the whole thing was left to the judiciary to decide.

Mr. Speaker: I shall adopt this course. From what I understand, he does not want me to give any ruling on the point of order, whether it is accepted or not. He says that it is *ultra vires* of the Constitution. He has made some other submissions which ought to be taken into account. With regard to this Bill, both legally and even on the facts, I will hear other hon. Members here. I do not think I am called upon to give a decision on this matter as a point of order. It is for the House to take note of all the points that have been urged. Hon. Members have an opportunity to speak on them and not only meet all those points raised by Shri Chatterjee but also go into the facts of the subject-matter of this Bill. On the merits, they can also discuss. Ultimately it is for the hon. Minister to say what exactly his view is. As for myself, I have one or two observations to make, which I shall do at the end.

Dr. Krishnaswami (Kancheepuram): Mr. Speaker, I regret very much that my hon. friend the Finance Minister should have introduced this measure. This Bill is meant to undermine the powers and responsibility of Parliament, which according to democratic usage, convention, and law has a right to determine, the levy of taxes and the allocation of expenditure. My hon. friend, from West Bengal referred to Article 265 at length and I need not therefore enter into a detailed interpretation of that Article. I suggest, Mr. Speaker that an ineluctable consequence of this provision is to give Parliament complete control over taxation and ensure the obtaining of consent of the Houses to each measure recommended by the Executive. If this is the intention—and this must be the intention,—then any Bill to delegate powers to the Executive in the sphere of taxation must be viewed as a serious encroachment on Parliamentary power and constitutional propriety. This point receives additional emphasis from Article (117) which lays down that every measure will have to be recommended by the Executive to the House. In plain terms the Executive has the power only to recommend while the Houses must give consent to each specific measure. What is the basis of this law or rule, Mr. Speaker? In a democracy when Parliament sanctions a particular taxation, the representatives of the people take into account not only revenue considerations, but also the situation prevailing at the moment, the equity of the tax, its incidence on different classes of consumers, and possible alternatives. No doubt, today we do not have to think of possible alternatives, because of the huge majority which is there to support the Finance Minister; but in normal times possible alternatives are suggested by the Opposition and they are often taken into account by a Government in almost every democracy. The delegation of such a power to the Executive is possible only if Parliament can lay down the criteria among which the urgency of the situation is one for the Executive to follow. But in the nature of circumstances, it would be impossible in this case to give anything like a precise content to these criteria and Parliament will be stultifying itself if it gives a blank cheque to the Executive to raise or lower taxes. This principle of an imposition of a tax by Notification is bad. For in the event of a subsequent rejection of the proposal by Parliament, Mr. Speaker, the levy already imposed and collected by the Executive cannot be refunded. This has been specifically inserted in sub-clause (2). Parliament would be prevented from undoing a wrong. Parliament would have to acquiesce in a grave act of injustice committee by the executive. Its authority to control the levy of a tax laid down in Article 265 would be visibly under-mined. What are the emergencies that the Government visualizes, which are of so serious a nature as to necessitate the grant of blanket powers to the Executive and necessitate the reduction of Parliament to a state of futility? I listened with profound interest to my hon. friend but I could not receive anything like even a remote indication of the emergencies that he visualizes. One can easily realize, that there cannot be emergencies of such a nature requiring frequent alteration of tax rates on articles of domestic production within the next 2 or 3 months. After all, let us remember that Parliament is in any case, going to meet in March and the new House will meet sometime in May. This apart one is tempted to justify this delegation of power to the Executive by suggesting that export duties may be varied even now by the Executive. But this comparison is totally inappropriate; and invalid. Export duties are levied on commodities which have a brisk foreign demand, on commodities where the difference between the internal and external prices is sizable. In the absence of export duties, foreign prices would tend to influence the domestic market. Further, the difference as between the internal and external prices is liable to large and sudden fluctuations. In order to serve any useful purpose, export duties have to be flexible and this is the only plausible justification, Mr. Speaker, for the delegation of power to the Executive by the legislature. In the case of excise duties, what I ask of my hon. friend is to let us know what factors of an emergent character he visualises. These are goods which are produced internally. They are not influenced by those factors which operate in the case of commodities of export. There need be no emergency where tax rates on articles of domestic production have to be altered frequently. To me, it only means,—I am giving the most charitable interpretation of the Government's conduct—that the assessment of the economic situation by my hon. friend is deplorably faulty.

Even assuming—I am assuming for argument's sake—that there is a fresh emergency which supervenes during the internal when Parliament is not sitting, we have the power to take action. Ordinances have been viewed with disfavour by you Sir; they have been viewed with disfavour by the House and large sections of people in our country. But, in exceptional circumstances where a case is made out, Parliament may not be unwilling to give its reluctant assent to the imposition of fresh excise duties. What is sought to be done by this Bill is most extraordinary. Even when Parliament is sitting, a notification can be issued, taxes can be collected, and Parliament is to be faced with a *fait accompli*. I want to bring to the notice of the House the stormy debate that took place, the views that were expressed when the recent Bill for the imposition of excise duty on cloth was discussed. In the face of protests from many of us from all sections of the House, Government insisted on taking powers to impose ceiling on excise duty for cloth at its sweet will and pleasure. I remember the stormy debate that took place in the House on that occasion. We all know that the Home Minister had to come to the rescue of my hon. friend and by the force of his massive personality and elephantine charm was able to persuade the House to agree to that measure. But by this Bill, even the ceiling on excise duties can be exceeded by another 50 per cent. No doubt, the Finance Minister has pointed out that he does not intend to raise these duties. Assurances given by a Finance Minister are good. But, assurances contained in a statute would be better. Because, in the event of a conflict between the provisions, of a statute and assurances given by the Finance Minister, it is the statute that will prevail.

[Dr. Krishnaswami]

This Bill let us realise mentions 'leviable' duties and is, therefore. aimed at increasing the area of discretion which is already great under the excise duty on Cloth Act of the executive. I ask my hon. friend: Is this fair? Are we being treated properly by my hon. friend demanding conferment of blanket power to the executive so that it might raise these duties at its sweet will and pleasure. In the future, for the next one year, at any rate, we will be in a novel position. We would not know when we will have a tax imposed upon a particular article. One fine morning, we may have a tax imposed by notification and we will come to know of it some time later. No debate need take place on the circumstances justifying the imposition of the tax; no alternatives need be suggested. We would be faced with a *fait accompli*. Even after we have approved it in our wisdom or otherwise, it would be open to the energetic and dynamic Finance Minister to rescind or revoke that tax. Any law imposing a tax can only be repealed by Parliament. That seems to be the purport of article 265 of the Constitution. If it can be repealed or revoked by the executive. what on earth is to be the function of Parliament? Are we not making a mockery of parliamentary democracy?

I am sorry that I have to speak on these matters in a rather strong and direct manner. I feel that we are facing a grave threat to the reputation of this House. Developments in the growth of executive power—more particularly recent developments are all the more perturbing in view of the recent utterances that have been made by my hon. friend the Finance Minister. Only the other day, he suggested in this House that taxation assessment and taxation measures should not be subject to judicial review. This is as good as a police officer saying that he would catch more thieves if the alleged culprits are not allowed access to a court of law. I shall not refer to other utterances of a similar nature which have been made in another House. There is, after all, a large constituency outside the walls of this House which is watching our utterances and acts and the time will shortly arrive when each one of us will have our conduct and actions reviewed. People are alive. Thank God, the people are given the right and opportunity once in five years to educate us in principles of democracy! These utterances of my hon. friend must be construed not only as a threat, to the legislature, but also, indicate a way of thinking which is heavily weighted in favour of arbitrary and capricious action. How is it possible for any Parliament to think—while my hon. friend is in his present frame of mind—of surrendering even a lot or little of its powers to him? After all, we all have to face the elections. Since the people are alive, they will judge on whether it is right or proper to undermine the foundations of parliamentary democracy. It is for the people to decide. We have to be aware of the fact that they can ultimately decide when we are passing measures sometimes recklessly, sometimes in a spirit of superior wisdom. We must not think that the people are dead, once they elect us and that they are resurrected only after five years. That was why I brought to the notice of my hon. friends.. .

Shri Gadgil: They are very much vigilant nowadays, Doctor.

Dr. Krishnaswami: I am thankful to my hon. friend for the information he has given me.

The Plan is, of course, important. We must do our best to make this Plan a success. But, I hope it will not be thought that those of us who are critical or sceptical of granting blanket powers to the executive, stand in the way of achievement of the Plan. We should not use the argument of difficulties that face us in working the

Plan as a pretext for asphyxiating parliamentary democracy. That is what you have done by suggesting the grant of blanket powers to the executive. I request my friends of all Parties, and particularly my-friends, in the Congress Party, with whom I have maintained cordial relations, during the past four years to think wisely, to think well, to think not in terms of the moment, but in terms of the future of our country and then register their votes according to the dictates of their conscience.

An Hon. Member: If any.

Dr. Krishnaswami: There is no emergency which is likely to arise justifying the grant of these powers. I have not as yet been able to glean from the arguments of my hon. friend anything like a shadow of a justification for giving such powers. These articles are produced within our country. They are articles internally produced. We can visualise what sort of difficulties there would be. We can certainly have Parliament meeting frequently; and if necessary, as soon as the new Parliament meets, we can raise such taxation as may be absolutely essential.

My hon. friend referred to import difficulties. I should have thought that the best way of meeting import difficulties was to use the weapons in the armoury of the Import Control department. Fiscal measures do not have as restrictive an effect on imports as import control measures. I, therefore, feel that these arguments apart from not convincing me, give me a regrettable feeling that we are witnessing today a grave threat to the reputation and existence of this Parliament of ours.

Shri Gadgil: I am not surprised at the line of criticism taken by Shri N. C. Chatterjee as well as by Dr. Krishnaswami. The main justification is that there is an emergency.

It is an accepted principle of politics that it is the executive of the day which has the power and which has the authority to say whether a particular situation is an emergency situation or not. Emergency is not a matter to be voted upon. It is not a matter for the people at large, the Almighty Democracy to decide. It is really a matter which requires vaster knowledge than some of us who are outside the executive claim to possess. For the last two or three months, I have closely followed the economic trends in the country and the rise in the prices of various articles, particularly of articles which are called necessities. Time and again, from the floor of the House people have urged on the Government that the times are critical, and that the Government should act in time and see that the economic situation does not deteriorate. In fact, whether from the Press or from the platform or from Parliament, whatever was said and written go to show that the times through which we are passing are not normal times. If this is accepted, then, if the Government says that this is a time in which an emergency does exist, we should accept *prima facie* that judgement of the executive because, if it fails now for want of power, we can afterwards turn round and say, why did you not ask for power, we would have given. So, you cannot have it both ways. Therefore, there should be no excuse left to the Government to plead later on that they could not deal with the situation adequately and effectively because they lacked the power. Therefore, one argument which weighed with me when I decided to support this was that I am convinced that within a period of twelve months the general index has risen by 23 per cent. Does it indicate that the times are normal? I do not refer to the international situation. Nobody can say what will happen tomorrow. But prudence dictates that we must act vigilantly and we must have all the tools in case things flare up to deal with the situation effectively and adequately. That is point No. 1 that there does exist an emergency.

If that is so, then the question really comes to this: how much power,

[Shri Gadgil]

what should be the scope of the power, how far, for what period and under what conditions that power should be given to the executive. I want to know if there is any Constitution in which there is no provision for emergency circumstances. Take any constitution. When there is an emergency, immediately the normal functioning of the constitution is held in suspense. It is because the interests of the country are supreme and the interests of the country cannot be subordinated to constitutional propriety or correctness or anything of that kind.

Is this legislation the first of its kind? That is question No. 2. Is it something new that has come before this hon. House, or are there precedents? Shri Chatterjee was good enough to show from his quotation that in 1950 amendments were made and power was taken in the Indian Tariff Act under section 4(a), "Emergency power of the Central Government to increase or levy export duty by notification" in which it is said:

> "Every such notification shall be laid before Parliament if it is sitting as soon as may be after the issue of the notification, and if it is not, within seven days of its reassembling."

Now, the question whether Parliament is sitting or not is really relevant in so far as the point of laying the notification on the Table of the House is concerned. The capacity for issuing such notification is entirely apart from this provision. This point has been argued in 1950 and I find from the proceedings of the Constituent Assembly (Legislative) that more or less these points were made by my hon. friend Pandit Thakur Das Bhargava. He said this power cannot be delegated, except to the detriment of the dignity of Parliament, to the executive. Later on in developing his argument, the substance really was this, that there was a possibility of the power being improperly used and therefore the power should not be granted. In this connection, what the Speaker then said is really relevant. With your permission I will merely quote what the Speaker said:

> "I just want to clarify one thing. If I understand the hon. Member aright, the position according to him comes to this, that Parliament has decidedly the power to delegate, but his objection seems to be that instead of delegating the authority by law limited to a certain thing, to a specific Act, to a specific extent or to a specific incidence, the present clause proposes to delegate the power very widely and very generally without being specific. Would not that amount to an improper exercise of the power of delegation? But can it be said that because you exercise the power improperly, therefore you should not get the power?"

The real question boils down to this, not that the Governmet should not be invested with this power, not that the investing of such a power is unconstitutional, not that it is illegal or invalid, the question really comes to this, whether the Government will use such a power properly and in a wise manner. If that is so, then the question really is whether it is proper for the Government, whether it is politically wise, whether even for the purposes for which this power is sought it is good. But that is a different question.

We heard the argument of my friend Shri Chatterjee whether such a power could be at all given, and according to him, as I interjected to say, the whole thing was *ultra vires*. On that point what I then said was that the tradition of this House has been that no Speaker ever said that the character of any particular Bill should be pronounced by the Speaker to be *ultra vires*. The same thing was referred to by the Speaker then when he said that on the question whether the Speaker should be the authority to pronounce any particular thing to be *ultra vires* or not, the tradition followed was that it should be left to the judiciary and not the Speaker, and that no Speaker or President in the State Assemblies also should do this.

The real question is if an emergency is there and if the power is sought, is it sought so widely? Shri Chatterjee himself admitted that there is a specific limitation in clause 2:

> "Provided that such increase shall not exceed fifty per cent. of the duty of excise leviabie on the goods immediately before the issue of the notification."

If delegation of power by Parliament to the executive of the day for specific purposes is justified, the purposes are specifically mentioned both in terms of rate and in terms of time. It is clearly stated in sub-clause (5) of clause 2 that it will be up to 31st December, 1957. Secondly it has also been said that up to this limit the rate will vary and not go beyond that. Is it seriously contended that every time for every article there should be a Bill? That would be absurd. And I find from the proceedings even such a great constitutionalist as Dr. Kunzru said 'this is absurd'. You must give fairly large powers and leave them to specify the rates more or less on various articles. The point is that there are circumstances existing today when Parliament will be fully justified in giving this power.

The only question is: when the rates are announced, what will be the effect? Will that be sufficient to realise the objectives mentioned in the Statement of Objects and Reasons, or will it be something different? That is the only point, whether as suggested or expected the additional power will result in mopping up the profit or whether the prices will go up and in the end the poor beast of burden, namely the consumer, will suffer. That is the point. And on this I am entirely with those who stand for the interests of the consumer, and I would request the Government to see that these duties, when they are increased, are operated in such a manner that the burden of the additional tax, so to say, would not in the normal course be shifted on to the consumer. It does not mean that the consumer should not pay at any time anything. That is not my point, because I have always maintained that in a socialist society the responsibility for finding the capital is on the community as represented by the State. I do not want to go and beg from these capitalists: "I will allow you to make one hundred per cent profit, return me five per cent by way of investment." If I can, I shall squeeze them as early as possible. But to plead every time that we must give them a fair margin of profit and then take a few rupees by way of loan or by way of temporary requisitioning of the deposits from the corporations is a thing in which I do not very much believe. But I judge every little step that my hon. friend is prepared to take on the basis of whether it will take us even an inch nearer to the realisation of the goal, and if I so find, I shall support it.

My submission, therefore, is that while I am for the maintenance of the liberties of the citizens, I would make a distinction between liberties as to person and liberties or rights as to property. So far as rights as to person or liberties as to person, such freedom of speech and so on are concerned, I am firmer in my conviction that they can be suspended only if there is a very critical and very emergent circumstance in which the very life of the country is at stake. I can understand that I cannot be allowed to preach non-violence when my country is being attacked It will be a tragedy if the Government allows me to preach non-violence when the whole country is being attacked. The best thing for me in such a case is that if it is an article of faith with me, I should be allowed to declare it and meet the punishment of law, but I have no right to preach it in a public manner.

[Shri Gadgil]

So far as the rights to properties are concerned, I think the claim of the society is prior, supreme and must prevail, more so, in a case in which an emergency has been clearly proved. I, therefore, submit that the powers that are sought to be taken under this measure are in conformity not only with the letter but with the sipirt of our Constitution. There are precedents for this, and what is far more important is that the times are so critical that even if there were no precedents, Government would be justified in taking these powers. The only proviso that I want to make to the delegation of these powers is that they should take the utmost care that the objectives for which these powers are being taken are really achieved and the consumer does not suffer and there is equality of sacrifice.

Shri A. M. Thomas: This is a very extraordinary measure, and it seeks to confer enormous powers on the executive. But I cannot subscribe to the proposition that has been argued by my hon. friends Shri N. C. Chatterjee and Dr. Krishnaswami.

Article 265 only says that:

> "No tax shall be levied or collected except by authority of law.".

You will see from the commentaries, which extracts certain decisions, that:

> "No tax can be imposed by any bye-law, rule or regulation unless the statute under which the subordinate legislation is made specifically authorises the imposition.".

Shri N. C. Chatterjee: That was in an English case.

Shri A. M. Thomas: That was in an English case, but it is applicable to this case also.

Mr. Speaker: What is that extract?

Shri N. C. Chatterjee: That is a judgment on an English case. You will recall that in England there is no Constitution at all, and, therefore, Parliament is absolutely omnipotent and sovereign, and Parliament can say, we allow the Chancellor of the Exchequer to impose taxation, say, up to a ceiling of one million pounds. That will be perfectly legal. That was in Wills's case, if I remember aright, (1922-91. *Law Journal-King's Bench*)

Mr. Speaker: A reference to that will be useful to decide whether on a mere technicality of the Constitution, this Bill ought not to be allowed or whether really there is such a danger in entrusting these things to Government in this case. If they found it, with all their experience and democracy, good enough for their country it may be good enough for this country too. The next question, of course will be that if it is opposed to our Constitution, certainly it cannot stand.

But, any how, that is useful as a precedent.

Shri A. M. Thomas: You have put in the proper way what I really wanted to say. The question whether the statute that we are now being asked to pass provides for delegation of persons to enact legislation for the imposition of tax by the executive. That is the criterion that we have to take into consideration.

Two categories of cases have been mentioned by Shri N. C. Chatterjee, when he quoted the decisions of the Federal Court. In one of those decisions, it is stated that the point that we have to decide is whether there is delegation of power to make law.

Here, there is absolutely no delegation of power to make any law. What is the position in this particular case? Now, here is not a case wherein Parliament says that the executive may levy any duty on any article it pleases. This Bill does not say like that. Here, the list of articles is specified.

Shri Gadgil: Only discretion is given.

Shri A. M. Thomas: The list is what is contained in the Central Excises and Salt Act. Of course, those articles could have been repeated in this Bill also in a Schedule. All the same, that does not detract from the import of the substantive clause. The substantive clause limits the power of the executive to levy duty on a particular class of articles.

Then, what does it further say? It not only specifies the articles on which the executive can levy duty, but it further says that the executive can levy duty only to a particular extent, so that the ceiling is fixed. Suppose we enact a Bill to the effect that on such and such articles, the executive may levy a further duty up to the extent of 50 per cent of the duty now existing; then, I do not think my hon. friend Shri N. C. Chatterjee would have opposed it. The list of articles has been specified, and then the duty also has been specified. That is what is virtually done in this Bill. So, I do not think there is anything wrong constitutionally.

My hon. friend Shri Gadgil said that we should not import constitutional propriety or constitutional correctness when there is an emergency. With due respect to him, I would say that even Government do not take shelter under the excuse of emergency for doing anything against constitutional property or constitutional correctness. What is being done is constitutionally correct, and constitutionally proper. The only point is that these extraordinary powers are being given because of emergent circumstances. That is what Government seek to do, and not anything that is constitutionally wrong.

Having said so much with regard to the constitutional aspect, I wish to make certain further observations on the Bill itself.

As I have said before, this piece of legislation vests the Government of India with enormous powers. Perhaps, realising that, the hon. Minister has said that he hopes that occasions would not arise which would necessitate the exercise of these powers.

Shri N. C. Chatterjee: Pious hope.

Shri A. M. Thomas: When the Bill to raise the excise duty on cloth was being discussed in this House, there was opposition from various sections of this House that that levy was unjustifiable, and that the additional levy would be passed on to the consumer. At that time, frankly speaking, some of us did believe that that would happen. But we have now found that the Finance Minister was correct in his anticipation, and the reports are that the duty had a steadying effect on the market, and that there had not been any substantial increase to the extent of the levy that was imposed.

Shri N. C. Chatterjee: That might be so in Kerala, but not in other parts of the country.

Shri A. M. Thomas: When we discussed the Finance Bill, the criticism was levied that the taxes are being enhanced but no serious attempt has been made to tackle the export problem and the problem of increasing prices. These questions were raised at that time. This Bill seeks to tackle the export problem. In fact, we find in the Statement of Objects and Reasons:

> "In the present price situation, it may be necessary both for encouraging exports and for mopping off excessive profits to make quick changes in excise duties.".

We can hope that that situation won't arise, but we cannot predict, under the present circumstances, that it won't arise within the next two or three months.

Dr. Krishnaswami said that the Government could have resorted to their Ordinance-making power. With all respect, I submit it is giving scant

[Shri A. M. Thomas]

respect to this House to make this suggestion. It is giving due importance to this House to take this House into confidence early enough so that in situations which may arise we clothe the Central Government with the necessary powers. Of course, it would be open to the Central Government to resort to its Ordinance-making power. But I should think that the Government has to be only congratulated on not resorting to that power but on taking the House early into confidence and apprising us of the real situation.

As a taxation measure, I believe that the powers vested by this Bill would not be utilised by the Goveernment. This will be used to encourage exports or to mop up excessive profits.

I would also say that although the people are prepared to make sacrifices for the fulfilment of the Second Five Year Plan, there is a limit to the extent to which we can now tax the ordinary man. It has been stated on the floor of the House a number of times that indirect taxation on articles of mass consumption can only be resorted to as an expedient at the last moment and that, as far as possible, that power should not be utilised. The residual financial needs could be met by excise duties on only a limited number of commodities of mass consumption. I believe that that principle would be borne in mind by the hon. Minister when he exercises the power that would be given under this legislation.

I may also submit that the Government must make a very judicious selection when it intends to levy these duties. If you impose an excise duty on certain articles, it will hit hard the indigenous producer or indigenous grower. For example, according to the first Finance Bill, we imposed an excise duty on vegetable oils. According to indications, that has hit hard the procedures as will as the cosumers in the country.

Shri N. C. Chatterjee: Manufacturers too.

Shri A. M. Thomas: Manufacturers too. The articles must be selected in a very judicious manner and also with the feeling that these powers which Parliament has given will be utilised only under very extraordinary circumstances, and not as a matter of course.

If these principles are borne in mind by the Central Government, I do not think there would be any harm done by the blanket powers which are being sought to be given to Government under this legislation. I support the Bill.

Mr. Speaker: May I have an idea of how many hon. Members wish to participate in the debate? Eleven.

Originally, the Minister of Parliamentary Affairs had suggested that 3 hours might be set apart for this, but in the Business Advisory Committee that met today, it was said that 5 hours might be necessary. Anyhow, this has to be disposed of today, if it has to pass through the other House. This work will be interrupted by the one-hour discussion which has been fixed between 18·00 and 19:00 hours. We started at 14·30 hours. Up to 18·00 hours, it will be 3½ hours. Then 1½ hours will remain for the other stages. Therefore, by 18.00 hours the consideration stage will conclude, if it does not conclude earlier.

Shri Mohiuddin (Hyderabad City): The other stages may take only half an hour.

Shri Gadgil: There are only three amendments.

Mr. Speaker: I will allow hon. Members to speak at one stage or the other, whether there is an amendment or not. It is practically a single-clause Bill; so let hon. Members say what they want to say on the Bill itself then, whoever does not get an opportunity now. Therefore, the consideration stage will be over by 18.00 hours. How long does the hon. Minister propose to take?

Shri T. T. Krishnamachari: About 20 minutes.

Mr. Speaker: Then I will call him between 17.30 and 17.40 hours.

Regarding those who want to speak now, hon. Members will bear in mind that the only points that have been raised regarding legality etc. have already been stressed. They will confine themselves only to new facts. Of course, they have got a right to emphasise what has already been said.

Shri Raghavachari (Penukonda): Just as some of my hon. friends did, I also wish to show clearly how this Bill and the powers which the Bill wants to be given to the executive are matters which really kill the spirit of the Constitution, if not the letter. Just for that purpose before I go to emphasise the danger of the very unhealthy and bad precedent that is being sought to be created, I would show, with reference to the powers sought under the Bill, that it is extraordinary and it is really replacing Parliament....

Shri T. T. Krishnamachari: May I request the hon. Member to move near the mike so that we could hear him?

Shri Raghavachari: I have been speaking from this seat for the last five years and people have heard me. So there is no difficulty.

Mr. Speaker: The hon. Minister wants the hon. Member to move a little to the right. There is no harm in doing so.

Shri Raghavachari: I was saying that the powers which this Bill wanted the executive to be clothed with, were extraordinary powers which the executive wanted to exercise without reference to Parliament, in session or out of session. I particularly want to emphasise this aspect. You will see that it is the cardinal principle, the ABC, of our Constitution that no tax can be imposed without reference to Parliament or without its approval. That is conceded. People who want to support this Bill say that it need be only under the authority of the law, and therefore, the phrase 'under the law' can be interpreted to mean that his Parliament can enact a law giving the authority to the executive, which can even kill its own Powers and its own sovereignty by placing its powers and sovereignty in the hands of the executive. That is the kind of argument which those who want to support the Bill adduce. For them there is nothing unconstitutional in this.

Before I specifically urge further on that aspect, I want Members to clearly realise what are the powers which this Bill wants the executive to be clothed with. First and foremost, is the pretext that Parliament may not sit for a few months to come and these extraordinary powers are necessary. I want to ask: Is there any *bona fides* in this? If it is for a period when Parliament may not be in session, one could understand it as being reasonable. But what is the meaning of their saying that this law will be in force till December 1957, that is, one year from now? Are Government expecting a situation in which Parliament won't meet for a whole year to come? Therefore, the argument that the Parliament may not meet for some time and, therefore, they want these powers is not *bona fide*. Rather it is simply an excuse; otherwise, I cannot understand why this Bill must be in force till December 1957.

That is point No. 1.

Then, I will say that they make a kind of a show as if these notifications will be placed before Parliament and a motion to approve or disapprove of it or to modify it will be brought before the House. Let us examine the provisions in respect of that. Before examining that, let us also consider what is anticipated to happen. This

[Shri Raghavachari]

House will be called for a brief session of 8 or 10 days at the end of March and then the next elected Parliament will meet some months later. No definite date is mentioned. What is proposed in this Bill is that every such notification shall be laid before Parliament, if it is sitting, as soon as may be after the issue of the notification, and if it is not sitting, within seven days of its reassembly. Now, let us take that the House will sit for a week or so. Some notification which might be issued in the interval will have to be placed before it. But, is it really going to be subjected to the consideration of Parliament at all? The same clause further says—

> "seek the approval of Parliament to the notification by a resolution moved within a period of fifteen days beginning with the day on which the notification is so laid before it;"

So, after the session meets for 7 days, they may lay the notification on the Table. And, from the date of laying the notification, a period of fifteen days is given, when the motion for approval of it may be sought. Altogether it means 3 weeks and the next session is not expected to last for 3 weeks. Therefore, it would be only an apparent concession or trying to show that they submit to Parliament's powers. It will be a mere excuse, as the House knows and as things are anticipated today.

Friends were saying that the law under which the delegation is to be made specified the articles to be taxed and the rates beyond which it cannot go. That is what Shri Thomas and others were saying and emphasising. When I read the Bill it appeared to me that there is no such limit at all, though I heard the Finance Minister say that he intends to move an appropriate amendment to make it definite. But, as the thing stands, now till the amendment comes, I am entitled to comment and say that there is no upper limit to the tax. If you read 3A (1), proviso, it says—

> "Provided that such increase shall not exceed fifty per cent. of the duty of excise leviable on the goods immediately before the issue of the notification."

It is nowhere stated that notifications cannot be repeated. A first notification may raise the tax by 50 per cent. As the Finance Minister said, if it is 100 today, the first notification will make it 150.

Shri T. T. Krishnamachari: Why labour that point? I told the hon. Members that multiple effect is not intended and no Government worth the name can discard an assurance of that nature.

Shri Raghavachari: Certainly, no Government can disregard the assurance and no Member worth the name cannot but refer to it. Now that you have come out with a proposal to amend the language, there is no use of disputing it. But mere assurances are not of much use when the language is dubious. If you are going to amend that, I need not refer to it; otherwise, I want to point out that there is no limit at all.

The other point which I wish to submit is that the powers of the Parliament as proposed in the Bill are such that the executive can completely ignore it. That is another point which I would like to point out. In 3A(4), it is said:—

> "For the removal of doubts it is hereby declared that any notification approved by Parliament, whether with or without modifications, may be rescinded by the Central Government at any time by notification in the Official Gazette."

So, even when the Parliament passes a certain thing, the Executive Government can nullify it. **Certainly,** it may not be expected, it may not be reasonable, it may not usually happen; but the powers are there. I am only contending that the powers which this Bill intends to clothe the Executive with are such that Parliament may afterwards feel helpless about it. Taking such powers, certainly, it is not paying any respect to the authority or the sovereignty of Parliament.

The next point is whether an emergency has arisen. Our congress friends who want to support the Bill wish to say that an emergency has arisen for all powers to be conferred upon the Executive. The Constitution provides for certain emergencies, for certain procedures before such powers can be taken. One can understand such an attempt.

I am a layman; I may be excused if I mention that I fail to understand it. As the Statement of Objects and Reasons says;

> "In the present price situation, it may be necessary both for encouraging exports and/or mopping off excessive profits...."

One can understand increase of duties for mopping off the profits. I am not able to understand how an increase in these duties will encourage exports. Ordinarily, more taxation by way of excise duties would make it difficult for export. Export would be encouraged when the prices outside the country are more favourable and not by the mere manipulation of taxes. Thereore, that objective is not very easily understandable.

What I wish to submit is this. This would create a very very bad precedent. If one thing is permitted today in the name of emergency and extraordinary situation, tomorrow it would be quoted as a precendent. This precedent is going to be a really a bad one. I would, therefore, say that these powers are very extraordinary, that they tantamount to abrogating the sovereignty of Parliament; that there is really no emergency for such a Bill to be there for the period of one whole year. It is taking a weapon in hand to dangle it saying, 'I am going to use it'. The very existence of this weapon in the hands of the Government must give some restraint in trade. This kind of argument cannot be very easily accepted by Parliament.

I would say that there is no use referring to certain such powers which other countries might have given. Those countries are governed by no written Constitutions. Our own Constitution is in writing under it no law imposing taxation can be passed without the authority of the Parliament. I believe they say that a law can clothe the Executive with such power. But, can we hope that such an argument can be accepted here and that Parliament can pass a law tomorrow that the Government may go on imposing taxes as it pleases for a period of three or four years? It may be urged to be perfectly constitutional; as being under the authority of the law, and therefore the executive can be clothed with such powers to tax. They would have powers now for one year. Supposing they say that they want it for 5 or 6 years, then why waste money? Why hold elections? Why call us representatives of the people? Why all this costly show here? What is the justification then for the very existence of this Parliament if the executive should be clothed with such powers?

16 hrs.

To me it looks that this will create a very bad precedent, a very unhealthy precedent, and it is a power which is sought to be taken in disregard of the very need and existence of this House. Therefore, I object to these powers being conferred upon the executive.

Shri M. K. Moitra (Calcutta North-West): I heard with great interest the very clever and learned advocacy Shri Gadgil and Shri Thomas had made to side-track the real issue. They have tried to impress that a state of emergency exists in the country. My previous speaker has challenged that

[Shri M. K. Moitra]

argument and proved that there was no case of emergency. Even if we take it for granted that there is emergency, the Finance Minister unfortunately conceived of a state of continued and perpetual emergency. Can continued emergency be termed as 'emergency'? That is the question before the House. If you say that throughout 365 days of the year and even throughout years a state of emergency prevails, then it loses its character and becomes normal. So, we must treat it as a normal situation.

The first principle is that the representatives of the people must have a say over taxation proposals. That means, that if Government want to impose a tax, the proposals for taxation must be placed before the House and they must be weighed on their respective merits. That fundamental right of the people is being sought to be taken away by this measure and, that is why we object to it.

It has been said that for planning, such a measure is necessary, because they want more money to finance the Plan. The Government have not tapped the resources. They have not yet been able to extract money from tax-evaders. Unfortunately they have not yet been able even to disclose the names of tax-evaders, and yet they come before Parliament for fresh powers to tax the people.

Shri Raghavachari has very nicely shown that Parliament, by passing this law, will kill itself, and will destroy its fundamental right.

I would like to say a word about the common man. This will unbalance the budget of the common man with low income, the peasant, and the worker. The common man does not know what articles will be taxed the next day and will be completely left, with his very low income, at the mercy of the Government. It will affect the common man, it will affect the worker, it will affect the peasant more than it will hit the businessman. It may be that Government may tax the very necessary articles, say, salt, tomorrow, and the common man does not know it today. That is why we oppose this proposal.

I will now refer to another strange proposal. It says—I refer only to one line in sub-clause (2) of clause 2 of the Bill—that the Government want more powers to introduce new taxation measures. They want power even to introduce such a taxation measure when Parliament is sitting. But when those taxation proposals are placed before the Parliament, and if the Parliament makes any change, that change will be effective from the date from which Parliament makes that change, but it will not affect the previous action of Government. May I draw your attention to line 8 of sub-clause (2) of clause 2, which says—

> ".... if Parliament makes any modification in the notification or directs that the notification should cease to have effect, the notification shall thereafter have effect only in such modified form or be of no effect, as the case may be but without prejudice to the validity of anything previous done thereunder"

That means that if a taxation measure is negatived by the House, then taxes realised under that measure will not be returned even if Parliament is against such measure. What a strange thing this is! That means that if the executive is proved to impose a wrong tax, that wrong tax must be justified and that is the measure which Government place before the Parliament to pass.

Our main objection against this Bill is that it is an assault on the very principle of taxation. The very principle of taxation lays down that proposals for taxation must be placed before the representatives of the people, and the representatives of the people must have a say on the merits of each of those taxation proposals. That very principle is assaulted.

Next, it will affect very adversely the common man with low income, the peasant, the worker. They have very low income and cannot plan their family budget early. They have to purchase their articles of necessity from day to day, and they do not know when an article of necessity will be taxed and they do not even know if they will have the capacity to purchase that article after the article has been taxed. This Bill has not taken into consideration if the common man has got the capacity to bear the burden of taxation, and it has been left to the sweet mercy of the executive. That is the reason why this Bill should be rejected by the House.

It has been said that Parliament may not sit for some time. Yes, the Parliament may not sit, but Government have got ample powers to deal with the situation when the Parliament does not sit. I take it that Parliament may not sit for some time, and even so, such a measure as this which gives blanket power to the executive should be rejected lock, stock and barrel.

Shri Sarangadhar Das (Dhenkanal-West Cuttack): Sir, in considering the provisions of this Bill, I am reminded of the United States where thirteen colonies were fighting against the British. The basis of that fight was: "No taxation without representation." They fought; they won the war and they founded their country and they invested the Congress with full powers with regard to taxation measures. The Congress is supreme. Not even the all-powerful President of the USA can get through any such measure without the approval of the Congress. In our case, with a written Constitution, we cannot tie ourselves with the House of Commons by the British practice; we should be guided by those countries which have written constitutions. Our Constitution is modelled a great deal after the American Constitution. In giving such unlimited powers to the executive, the feeling of certain people in the public life who contend that during the last year or so there is a danger of the ruling party going towards authoritarianism, is confirmed. In this case, I accuse the Government of appropriating to itself all the powers that should be in the hands of Parliament, where some 500 or 750 taking both the Houses—wisemen consider whether a taxation measure is of any benefit or is to the detriment of the general public.

It has been contended by some hon. friends here on the other side that the imposition of the excise or import duties is to mop up the excess profits which would be used in the development Plan. It was also claimed that when the excise duty on cloth was imposed some three or four months ago, it did not go to the consumers. Last time I had said that since the time when excise duty on matches was imposed the price of the matches went up. Although the duty might be one pie per packet, the price went up by three pies or more. Since then, every time there is a duty imposed, whether it be excise or import duty, on commodities which are in general use and which are not luxuries, it is handed down immediately to the consumer. Just a few days ago, I came to know about an imported article; it used to sell at Rs. 3-12-0 per jar. Immediately the duties were announced, the price went up to Rs. 4-12-0 one rupee more. If the increase in duty is handed down to the consumer, I do not see how the Government mops up the excess profit. It may be getting some of those profits. But, the profits come from the consumer not from the manufacturer or the merchant who sells these imported articles. From that point of view it is very dangerous for us to concede this measure. Thereby we really commit suicide. We surrender the power of taxation invested in the Parliament.

[Shri Sarangadhar Das]

It is not necessary to repeat all the arguments that the legal *pundits* and constitutional *pundits* have advanced. But, as a common man representing the common men of the country, I say that these duties are being handed down to the consumer in every case and the poor consumer, mostly the middle-class which is so decadent that it cannot exist after some years, and the lower middle-class and the peasantry and the workers will have to pay always.

I fully concede that the ambitious Plan should be fully executed. I also concede that everybody should co-operate with it. I have no doubt that there is co-operation all over. But, such tremendous amounts cannot come from the poor consumers of this country. The consumers are already paying a heavy price.

Take for instance my pet industry —the industry in which I spent all my life—the sugar industry. We are paying practically twice the price that other countries are paying for sugar because of the high revenue duties we have. It used to be a protective duty and now it is the revenue duty. If no duty is levied, then foreign sugar will come here and we can get much cheaper sugar. It is all right to patronise and give facilities to indigenous industries. An industry may be given protection for ten or fifteen years. As a matter of fact, the statute said that the duty on sugar would be reviewed every ten years. But, war came and it was never reviewed. Since independence, that duty has been maintained and the consumers are paying it. Every year, they are paying crores of rupees to be shared by the manufacturers and by the State Governments as cane cess and so on.

This way, we find that the duty is handed down to the consumer to impoverish the ordinary people. The other section of the people, the manufacturers and merchants are enriching themselves at the cost of the consumer. This state of affairs cannot go on for ever.

I quoted the case of the USA. There was taxation imposed by the British Parliament on the thirteen colonies. The result was the Boston Tea Party. Ultimately, they drove out the British. I warn that this trend of authoritarianism whereby the ruling party takes over all powers and deprives the Parliament of its legitimate and proper rights will some day in the near future lead to such a revolution in this country that it will be intolerable for the people.

The people cannot bear this burden and they will have to rebel against this Government. I give this warning.

Pandit Thakur Das Bhargava (Gurgaon): Sir, I congratulate the Members who have raised these objections and, at the same time, warned us about the dangers of the policy that we are following now. As a matter of fact, so far as these powers are concerned, they are powers which, according to me, can be taken by Government in proper occasions only.

Sir, you might perhaps remember that when we had this amendment of the Tariff Act before us, this question was raised by Shri Tyagi ji in the House that such powers could not be delegated. I then submitted for the consideration of the House that we were not competent to delegate these powers, and I gave good reasons which appeared to me to be good then. The hon. Finance Minister at that time was of this very opinion that the powers could be delegated and he is quite consistent. But I have just read your speech, Sir, on that occasion, and you were of the same view as I was that the power could not be delegated. In your speech, when I read it, I found some very beautiful portions which I propose to read to the House and which we really ought to bear in mind always and especially on an occasion like this. Ultimately the House took the decision and passed that measure.

Since the House took that decision against my contention, and the contention of others who sided with me, I take it that there is a precedent for us and the House has taken a decision in this matter. I, therefore, feel that, when the House has once taken a decision, and, perhaps, a right decision, I should say—after all, as I believe, in emergency these restrictions on the right to enact a law are not good for the country—so far as the real aspect of this case is concerned, it is much more a matter of caution rather than one of legality from which I want the House to look at it.

It is quite true that under section 265 it is this House alone which has got the power to impose taxes. It is also true that on a true interpretation we are not to be guided by any rulings or any practices of any other country. We have a written Constitution and we are bound by that written Constitution. At that time I argued that according to the Constitution this House was not competent to delegate those powers. But it did delegate at that time and, I think, when once we have done it, that is a precedent for us and we ought not to raise this objection now. But, at the same time, apart from that, I feel that even at that time many of the hon. Members who took part in the debate were of the view that while the House is sitting, in those days when the House is sitting, the Government ought not to exercise this power.

Sir, you put it in a beautiful way. I want the House to know the argument which you gave at that time. You said, Sir:

> "The people have sent us as their representatives to discuss each and every one of the taxation measures which come before the House. We will have to decide on the policy, the quantum, the period and various other matters. You are now trying to entrust to somebody else what has been entrusted to you. I ask you, Sir, you have been at the bar a number of years, is it open for an agent to delegate his powers? We are only an agent of the people at large. The sovereignty is of the people. It is not as if we are sovereign and we can delegate our functions. If we have been delegating them, it is *ultra vires* It is wrong. There is no good quoting any precedents."

The point is that when the House is sitting and the combined wisdom of the House is there to decide upon the articles, the quantum and the desirability of putting a taxation, that is a matter which ought to be considered by this House. In deciding this question, it is quite true that the Chair at that time did not take upon itself to rule if this objection was valid or not and whether it is regarded as *ultra vires*. This has been pointed out by Shri Gadgil that by convention it is left to the House. In considering this matter whether it is right for us to give this power to the Government, we have to consider many things.

It is also true that now we are adjourning for about four or five months, as stated by the hon. Finance Minister, and during this period of emergency, as he says, many an opportunity will arise when he will not be able to consult this House. But, ordinarily speaking, whenever a Parliament adjourns, in between the date of adjournment and the next session, this is an interregnum in which the Ministers have to decide and they have got the powers of making ordinances. It is quite true we do not like to be ruled by ordinances. Also, it is wrong to issue ordinances in respect of every article and every occasion. But, at the same time, I do not understand the logic of the argument that when the House is sitting even at that time certain pieces of legislation in regard to particular articles cannot come before the House. It tantamounts to saying that the general wisdom and authority of the House....

Shri T. T. Krishnamachari: May I mention one thing? I propose, with the leave of the Chair, to move an amendment seeking to delete that portion of the Bill which gives power to Government to use this measure during the time when the House is sitting. So I am meeting that objection, subject to the Speaker permitting me to move the amendment.

Pandit Thakur Das Bhargava: I am very glad that in two matters the hon. Minister has done the right thing. He has done the right thing not to utilise these powers when the House is sitting and, secondly, as pointed out by him in his opening speech, so far as the rates are concerned, as is given in the Statement of Objects and Reasons, it is only 50 per cent of the existing rates.

Shri T. T. Krishnamachari: That is also being done.

Pandit Thakur Das Bhargava: I am very glad that he has done the right thing.

Now what we come to is this. The Finance Minister has got all the powers by way of ordinance making powers.

Shri T. T. Krishnamachari: I am not using them. I do not want them.

Pandit Thakur Das Bhargava: If he wants to utilise those powers the House is ineffective in curbing him so far as those powers are concerned. He is at perfect liberty to use those powers and make ordinances. Really speaking, we are only giving him powers to make an ordinance, not for the time as it now is but for one year. If the hon. Minister is kind enough to take these powers up to the time when the new session of Parliament meets—during the next session of eight or ten days he is not going to use these powers—and restricts these powers for such period as the next Parliament meets, then the House is not giving any particular powers. Whether an emergency arises or not, he has the powers and he is only legalising the use of ordinance making powers by this law.

I am unable to understand that an emergency can continue for one year. Then it ceases to be an emergency, it becomes a normal thing. For the coming five years when the Plan is there he will want money. We want to help him, go whole hog with him and help him if we are convinced that the emergency requires it. Supposing he brought a Bill saying that it shall be there for five years, certainly we would not agree. We will say that an emergency cannot continue for such a long time. Therefore, the only thing that pains me is that we are giving our powers for such a long time. If the time is restricted to, say, six months, or till the meeting of the next Parliament, then nothing would be lost. He is not asking for so many powers. He is himself a great constitutionalist. He is as much anxious to preserve the powers of this House as any one of us. Supposing he were sitting on this side, he would raise all those objections which we are raising, perhaps more effectively. We saw him working while he was sitting with us. He, I should think, was not less anxious than any of us so far as the powers of the House are concerned. He is not a man to take away the powers of the House. I go further and say, so far as his capacity and so far as the honesty of the Government to use their powers rightly is concerned, we have got full faith in our Ministry and in the hon. Finance Minister. It is not that we are raising those objections, because we do not have faith in him. Supposing it was some other Minister in whom I had no faith, who did not belong to my party, I would raise those very objections which my hon. friends on this side have raised. I am as anxious as he is that the Five Year Plan should succeed whatever may happen. At the same time, there is the constitutional propriety. As you pointed out, the duty of this House is to look to every aspect of the question and to see that no taxes are imposed unless they are absolutely called for. Otherwise, what happens? Supposing any Secretary or Joint Secretary thinks that he can impose any tax he likes, it will import such an amount of uncertainty into the commercial transaction, and there will be nothing but confusion. I know the Finance Minister will exercise the powers carefully, but after all, there is great difference between Parliament exercising the powers and one gentleman, however, eminent he may be, exercising them. I therefore, want that these powers should be taken by the Finance Minister for a shorter time, say, six months. If he agrees to that, then I think most of the objections raised by hon. Members on this side of House will be met.

When I read the papers every day, I feel that there is an upheaval in the commercial world on account of the new Bills coming. Lately one Bill came. Though the Finance Minister was actuated by the best of motives, I think that his point of view has changed when from the Commerce and Industry Minister he became the Finance Minister. As Finance Minister, he has to see that he gets the full amount of money for the implementation of the Plan, whatever may happen. But even today I read in the *Hindustan Times* a long article in which the feelings of the Bombay commercial men were given. They are very much upset and they do not know what is going to happen to them. We have to look at things from the point of view of Government, of ourselves as well as of those who are merchants and commercial men in this country. We have to go rather slowly in these matters. If we are hasty, it upsets many things. Ours is a mixed economy, our policy is not totalitarian. The provinces of public and private sector are defined but none of the sectors is given preference over the other". But, as long as the private sector is allowed to exist, it must be allowed full freedom to work.

The Finance Minister should explain the emergency to the public. If the country had known before long that such an emergency was there, the hon. Minister would have been congratulated rather than criticised for all those measures. Shri Gadgil says, "these are secret matters and it is not given to an ordinary man to know the nature of the emergency". If that is the philosophy, it is very difficult for us to follow it. If we are convinced that there is an emergency, as he is convinced, we will go even farther than what he has gone. When the previous Bill came, I did not know that there was such an emergency. Except in one or two matters like cloth etc., he did not explain the other matters. If the emergency is there, every Member to whatever party he may belong, will help him, because this House is wedded to the execution of the second Five Year Plan. But if he keeps it to himself or if only Shri Gadgil understands it, we are very sorry we cannot go with him.

I may submit that so far as the excisable articles are concerned, he has done the right thing. But I will submit one point for your consideration, Mr. Speaker. In the 1931 Act for the provisional collection of taxes, we have got a very good provision that if the Parliament thinks that such and such a tax should not have been levied or if it is excessive, in that case, refund should be allowed. Now, this Parliament is not sitting for nearly 5 months. If tomorrow the hon. Minister puts a tax, for five months this tax will not come before the House. Then, within 15 days an attempt will be made to seek the approval of the House after the imposition of the tax for 5½ months, which means crores and crores of rupees will be gathered and the amount will not be refunded. I want to understand what justification is there for it. I know it is very difficult for every person to get back the refund and also for the Government to refund the money. But in fairness when the Parliament comes to the conclusion that the tax was not justified, the money should be refunded. There must be a provision here for refund. I do not understand why an undesirable tax, which is not authorised or approved by the Parliament, should be collected from the people. With this reservation, I would support the Bill. I beg of the Finance Minister to agree to reduce the period to six months. If he agrees to that, I have got no other objection, except that he must agree to refund the tax which is not collected by the authority or the consent of this Parliament. I know it is very difficult, but at the same time what is the justification for collecting a tax not approved by the Parliament? It means that Parliament is not the last word and if he

[Pandit Thakur Das Bhargava]

wants, the Minister can impose tax on any article he likes. I therefore want that a provision for refund should be put in here.

Mr. Speaker: I would like to say one or two words before this Bill is proceeded with further. We no doubt agreed to sit till 6 o'clock for the consideration stage and thereafter for 1½ hours for the clause-by-clause stage. The hon. Finance Minister has just handed over to me two or three amendments to this Bill. I believe that if hon. Members only hear these amendments, many of the points raised by them would be met.

The first amendment says,

> "If at any time, except when both Houses of Parliament are in session..." etc.

It means that when the Parliament is sitting, he will not issue any notification. That is one objection that has been raised and it is met. About the 50 per cent. increase in excise duty, he has given an amendment:

> "Provided that such increase shall not in the aggregate be more than fifty per cent of the duty of excise fixed by an Act of Parliament as being leviable on the goods for the time being."

Therefore, it is not as if the 50 per cent. increase will be added to the original and then again there will be a 50 per cent. increase from 150 per cent. It will not increase in that geometrical or arithmetical progression. The increase in the aggregate will not be more than 50 per cent.

The third amendment says:

> "Every such notification shall be laid before Parliament within seven days of its reassembly after the date of the notification".

The only other points raised by Thakur Dasji are that the emergency, if it continues, must be for six months only and not one year, until the next Parliament meets. I will certainly give opportunities to hon. Members to speak. But, if I ask the hon. Minister to reply now, after the consideration is over, hon. Members can speak on the clauses.

Shri T. T. Krishnamachari: I can explain the position.

Mr. Speaker: After the hon. Minister has explained, if there are any further points, they may be submitted during the discussion on the clauses. The amendments are being cyclostyled and will be distributed immediately to the House.

I shall afford an opportunity to every hon. Member. Let us see what the hon. Minister says.

Pandit Thakur Das Bhargava: May I seek one clarification? Will you kindly be pleased to allow us to move amendments to the amendments? For instance, I have got an amendment.

Shri Mohanlal Saksena (Lucknow Distt. *cum* Bara Banki Distt.): There may be one or two other points with which the Finance Minister may agree; let him speak a little later.

Mr. Speaker: My feeling is that the main points have already been made. The other points may be made during the discussion on the clauses.

Shri Sinhasan Singh (Gorakhpur Distt.-South): Now sub-clause (4) of this Bill says:

> "For the removal of doubts it is hereby declared that any notification approved by Parliament, whether with or without modifications, may be rescinded by the Central Government at any time by notification in the Official Gazette."

Why should Government have the power to restrict the right of Parliament.

Mr. Speaker: It is only for the purpose of reducing; or the emergency may disappear.

At any rate let us listen to the hon. the Finance Minister.

Shri T. T. Krishnamachari: I have listened to hon. Members. Excepting Mr. Chatterjee and Mr. Krishnaswami who went into the fundamentals, the other speeches only raised certain doubts which I will try to remove.

So far as the main points are concerned, I think they have been adequately dealt with by my hon. friend Pandit Thakur Das Bhargava,—whether this particular Bill offends article 265. The discussion to which my hon. friend Pandit Thakur Das Bhargava referred to, at the time when we inserted section 4A in the Indian Tariff Act more or less represents both the pros and cons of an argument of this nature. We had the benefit of the late lamented Dr. Ambedkar's view on this particular matter and you yourself were one of the persons who raised the doubt. I also remember that at that time there was a short adjournment and we amended the provisions of the measure in such a manner that it more or less represents word for word the present Bill.

Sir, one particular point which Dr. Ambedkar mentioned at that time would be a guiding principle for all time for those who have to legislate. He mentioned that the power is necessary, that the power does not offend article 265, but then the exercise of that power must be judged by the propriety of the occasion. Speaking on that occasion I agreed with Dr. Ambedkar and heavily underlined the need for observing the proprieties of the occasion. That is why as my hon. friend Pandit Thakur Das Bhargava mentioned the power to enact emergency legislation is undoubtedly vested by the ordinance making powers.

Speaking for myself, I would not use the ordinance making powers for a purpose which ultimately results in taxation. Whether the purpose is to tax, or achieve certain economic ends, nevertheless it happens to be taxation and I think as Finance Minister—I do not know whether I would continue, but if I do continue—I shall never have any opportunity of having to use the ordinance making power for purposes of taxation. It is only because of that that we wanted to take the House into confidence to restrict the use of this power to the range mentioned in the Central Excises and Salt Act, the schedule of it and nothing more. Of course if something happens, if it is something terrible, you have to make use of it. But my inclinations are against the use of ordinance making power for taxation.

The whole range is restricted. Hon. Members, even the public who are wise, merchants and industrialists, do know that I am unlikely to use the power in the matter of shoes! I am unlikely to raise it in certain other articles. It has to be something which goes into the consumption of a large body of people. Where there is a short supply, where we cannot obtain supplies, where the rise in prices will be phenomenal and therefore the profits will go to somebody else, we have to put a check on it. These are limiting factors. This is known to every hon. Member here and is known better to those people who are likely to be benefited by any rise in prices; Two or three matters in this connection have to be understood.

So far as article 265 is concerned, if it did stand as a bar, it is not my intention merely to take advantage of the fact that the Chair will not give a ruling and push it through. I will not do it. I will certainly advise Government not to take advantage of the fact that the Chair would not give a ruling, but the matter can go and wait at the Supreme Court. I am perfectly convinced in my mind and I am advised that there is no bar to a legislation of this nature. There is a precedent and I must also say that I as Finance Minister, or as Commerce and Industry Minister, or my predecessor, or my predecessor's predecessor, we have not misused section 4A of the Indian Tariff Act on any occasion, because we had to come and explain to the House. And by and large the House has approved of what

[Shri T. T. Krishnamachari]

we did. Maybe one or two Members expressed dissent, but the approval of the House has been secured by an overwhelming majority. So, the legal position to my mind is very clear and our past performances ought to assure hon. Members and the public.

Then the question comes as to whether we should use these powers when Parliament is sitting. At the time the provision was drafted it was thought that Parliament may be too busy. But I should see the propriety of the matter, as I have heavily underlined and I admit the need for observing propriety in utilising this measure. I have, with your permission, suggested amendments which will indicate very clearly that when Parliament is in session we can introduce a Bill.

The analogy of the Provisional Collection of Taxes Act mentioned by Pandit Thakur Das Bhargava is not quite relevant. Under the Provisional Collection of Taxes Act, the moment we introduce a Bill it becomes operative. The question of equities of the matter is a thing which is not taken into account because in all cases, an equity which is tried by way of a refund will go to a person who is the least entitled to it. There is no method which we can devise, whether as Government or as Parliament, by which a consumar who has bought half an anna or one anna worth of a particular thing will get the colour of his coin he has paid. We are the residuary legatees, not the people in between. That is the principle underlying the Provisional Collection of Taxes Act.

Pandit Thakur Das Bhargava: How is the Government entitled to the money?

Shri T. T. Krishnamachari: If the consumer does not get it if it is in the State's officers it is used for the consumer's benefit. The State has got much less power of digestion than I have. Therefore the State cannot digest any money. It will ultimately go to the benefit of the common man. Therefore, the Provisional Collection of Taxes Act says even if the Parliament....

Mr. Speaker: Recently in regard to inter-State taxation there was a case relating to Bihar and the question of refund arose. It was found that Bihar had no jurisdiction to pass legislation of taxation unless Parliament had given sanction. In view of that the Constitution has also been amended. The question arose as to how far the Bihar Government should be asked to refund. One of the main points for consideration there was as to who is the person who is benefited: neither the Government nor the person who purchased a seer of sugar. It is impossible to trace him. So the middleman takes it away.

Shri T. T. Krishnamachari: Therefore, unfortunately, I cannot devise anything to meet the wishes of my hon. friend Pandit Thakur Das Bhargava.

The other point that he mentioned was about the duration. Actually, after drafting it, we considered it. I said that a limit should be put down. Normally, the limit that is put down cannot be six months. Because it may happen that Parliament may not meet on the 13th of May. It may meet later. There is no legal provision to make the Parliament meet. Something may happen. It need not meet. The same argument will apply if I come in March and ask for a vote on account and to extend it by four months. Hon. Members will, I think, say, it is necessary because Parliament will meet on the 13th of May, and you only want it for seven weeks. You have to make some provision. It is quite likely that Parliament may meet on the 13th of May and sit continuously. It may sit from the 13th of May to the 30th of September. Obviously, this power cannot be made use of. There will be practically only two months. It is not a meticulous point when we say, have application of the Act for one year. It is virtually a short-term measure. The point that it should be six months or nine months is not relevant. If at all I had to limit the period meticulously, I won't say six months; or 30th of September. That would be the period during which Parliament may sit. It may or may not be able to attend to this work. There may be other matters more important. I hope my hon. friends will agree that since Parliament will sit from May to almost to the end of the year with a gap of one month, the application of this measure is not a possibility. Virtually it is a short term measure. It cannot go on long. I think this disposes of the objection.

As regards the amendments that are being moved by Shri Tulsidas, I think there is only one point that he has mentioned, that I should not make use of this measure for the purpose of raising the duties on cloth and raising the duties on art silk yarn. Obviously, I can't. I have at the present moment, fixed it fairly low. I have a 50 per cent cushion to go up. Unless I go up 50 per cent and another 50 per cent, I can tell my friend that that is not my intention. I do not think that it is necessary for him to mention it at all because it is already there.

Shri Tulsidas (Mehsana West): I know.

Shri T. T. Krishnamachari: The provision is already there. If it is for superfine, we are already levying four annas. I can go up to six annas. In the case of coarse and medium, I can go up to four annas. In one case it is more than 50 per cent and in another case it is 50 per cent. So far as art silk yarn is concerned, we are applying only a small measure. It might have to go up later on if the circumstances justify. It is never likely to go beyond that. On that point there is nothing for me to say beyond giving an assurance. No amendment is necessary.

I have explained all points except the fundamental objection which both Shri N. C. Chatterjee and Dr. Krishnaswami, who was not here in 1950, have raised. Therefore, he could not realise the fact that that objection has been raised and met and the performances of the Government have been such that assurances given in regard to observation of proprieties have been maintained and they would never vary that. Barring that, I think I have met most of the points raised by my friends.

Shri Sinhasan Singh: What about sub-clause (4)?

Shri T. T. Krishnamachari: So far as sub-clause (4) is concerned, normally, in regard to any taxation measure, Government has the power to rescind it or lower it. In the case of this Bill it is mentioned. It is an existing power which we have mentioned.

Shri Sinhasan Singh: Parliament has approved of it.

Shri T. T. Krishnamachari: Even if Parliament has approved of it, if there is no need for levying, we rescind it. The point is this. This is not a regular enactment. It is a temporary thing and a temporary thing has got to be rescinded quickly, not by an amendment. If there is a regular statute, then we have the power. The power is expressly stated that in a taxation measure, Government can lower it. They cannot raise it by executive order. Here, since that is not expressly mentioned, we are mentioning it. We are following the existing practice.

Mr. Speaker: The question is:

> "That the Bill further to amend the Central Excises and Salt Act, 1944, be taken into consideration."

The motion was adopted.

Clause 2.—(*Insertion of new section 3A*)

Shri Tulsidas: I beg to move:

(i) Page 1—

After line 14, *add*:

"Provided that there shall be no such increase in respect of the duties of excise levied under the Central Excises and Salt (First

[Shri Tulsidas]

Amendment) Bill, 1956, and the Finance (No. 2) Bill, 1956:"

(ii) Page 1, line 17—

for "the issue of the notification" *substitute* "coming into force of this Act"

My only point is this. The hon. Finance Minister has already given an assurance now. The amendments which I have tabled are that with regard to the excise duty on cloth and yarn which has just been levied recently, will not be fully levied. He has taken powers to levy more than what he is levying today. I only wanted that he should not have a further power to levy 50 per cent more than what he has already got. That is my point. He says that he does not want to accept the amendment. What he says is, he would like to give an assurance that that is not his intention.

Mr. Speaker: That is not amendment No. 7. He says, Act of Parliament.

Shri Tulsidas: We have passed an Act. There he has power. He has already taken power for levying duty at a higher rate. He has also taken power to further levy 50 per cent over and above that. That means, from six annas, he has power to levy nine annas. Since he has given an assurance, so long as that assurance is binding on him, I am not pressing the amendments. I am only saying this. I would like that this matter should be put in the law. Normally, if it is in the law; it would be better. If it is an assurance, we have to go to him again and say that this is the assurance. He may say that that assurance was given in the particular circumstances and therefore that assurance does not count. If circumstances arise and he exceeds his powers under this Act and then this assurance is pointed, at that stage, he should not say that that assurance was given in particular circumstances.

Shri T. T. Krishnamachari: No, no.

Shri Tulsidas: If that is the assurance, I am not pressing these amendments.

Shri T. T. Krishnamachari: I beg to move:

(i) Page 1, lines 7 and 8—

for "Where in respect of any excisable goods, the Central Government is satisfied that"

Substitute: "If at any time, except when both Houses of Parliament are in session, the Central Government is satisfied that in respect of any excisable goods"

(ii) Page 1—

for lines 15 to 17 *substitute*:

"Provided that such increase shall not in the aggregate be more than fifty per cent. of the duty of excise fixed by an Act of Parliament as being leviable on the goods for the time being."

(iii) Page 1—

for lines 18 to 20, *substitute*:

"(2) Every such notification shall be laid before Parliament within seven days of its reassembly after the date of the notification"

These merely follow what I have mentioned.

There is only the point which my hon. friend Shri Tulsidas has raised. His amendment would more or less restrict the scope of this measure to the present day, that is, this particular Act. That would be difficult. That is why we have put it this way. He can take it for certain that it is an assurance which is completely binding on me and my successors.

Mr. Speaker: Amendments moved:

(i) Page 1, lines 7 and 8—

for "Where in respect of any excisable goods, the Central Government is satisfied that"

substitute: "If at any time, except when both Houses of Parliament are in session, the Central Government is satisfied that in respect of any excisable goods"

(ii) Page 1—

for lines 15 to 17 *substitute*:—

> "Provided that such increase shall not in the aggregate be more than fifty per cent. of the duty of excise fixed by an Act of Parliament as being leviable on the goods for the time being."

(iii) Page 1—

for lines 18 to 20, *substitute*:

> "(2) Every such notification shall be laid before Parliament within seven days of its reassembly after the date of the notification"

Shri Mohanlal Saksena: Mr. Speaker, as regards clause 2 sub-clause (4), I am glad that the hon. Minister has seen his way to accept some of the suggestions of hon. Members. But, there still remain certain objectionable features in the Bill and so long as they are there, I am afraid, I cannot persuade myself to support the Bill.

As regards the time...

17 hrs.

Shri T. T. Krishnamachari: He may come to the front or near the mike. When the House is thin, Sir, the mikes do not operate quite effectively.

Mr. Speaker: He may still come back to the front bench.

Shri Mohanlal Saksena: I was saying that I am glad that the hon. Finance Minister has accepted some of the suggestions made by Members, but I regret that he has not seen his way to accept others, and so long as they are there I am afraid I cannot persuade myself to support the measure in its present form.

In regard to the time, he has cleverly argued that the new Parliament may not meet for some time and there might be an emergency and therefore he had to provide for one year. I take him at his word. If that is so, why not make the time in the provision either one year or six weeks after the date of the first meeting of the new Parliament whichever is earlier. If he wants, during those six weeks he can get the life of this Bill extended, if he is prepared to come before Parliament and convince it.

We are on the threshold of democracy and I want that we must build up healthy precedents, and therefore I do not want to tie down the new Parliament by our dicisions. The other day when I remarked that I did not want the Finance Minister to hold charge of any other Ministry involving expenditure, my friend took objection. He thought that when he was in charge of cottage industries I had taken objection to that. But I may tell him that my approach is always objective, and when I submit any thing I do not have any personal considerations. I know in any other country you will not have a Finance Minister holding charge of any other Ministry involving expenditure, and for very good reasons. It may be done by way of a stop-gap arrangement, I can understand that, but if the Finance Minister is put permanently in charge of any other Ministry, it will create a bad precedent. He cannot exercise that control which the Finance Minister is expected to exercise over other Ministries, and because of laxity in financial control in regard to Ministry in his charge it may be taken as a precedent by other Ministries in regard to their own working.

So, I am submitting that if his only difficulty is that the new Parliament may not be in a position to meet for four or five months till September, he may accept my suggestion of having either one year or six weeks after the date the new Parliament meets, whichever is earlier. That will meet his objection.

Then about sub-clause (4), it says:

> "For the removal of doubts it is hereby declared that any notification approved by Parliament, whether with or without modifica-

[Shri Mohanlal Saksena]

tions, may be rescinded by the Central Government at any time by notification in the Official Gazette."

Mr. Speaker: That is only withdrawing the additional duty of 50 per cent.

Shri Mohanlal Saksena: I am coming to that point. My submission is that after all the fundamental principle of democracy is that cumulative or collective wisdom is superior to individual judgment. If there is a provision that within three months the central Government will not be able to withdraw it, I could have understood it. Circumstances might change. But if the Finance Minister comes to this House and the House in its collective wisdom approves the notification in the form in which it was issued by the Government or in a modified form, and the next day he goes and rescinds it, what will it mean? The supreme power of the Parliament is set at naught, not only of this Parliament because we know that in a few months time we will have another Parliament. We are tying down the other Parliament by passing this enactment. My submission is this, that we must put sometime limit. It should not be rescinded within two or three weeks, until the situation changes. Otherwise it means that the Finance Minister has not been able to convince the House about the necessity. Either it is necessary or not necessary. If it were necessary when promulgated, it was necessary on the day it was placed before the House. If it is approved and immediately after the government could rescind it, it means something very derogatory to this House and also it sets at naught the principle of democracy.

Every time a new taxation measure is brought we are told there was emergency and emergency is sought to be pegged on the Natural Plan. I know what are the requirements of the National Plan. I know how a Plan should work in a democracy. The fundamental basis for the working of a National Plan in a democratic State is that it must command the support and co-operation of the people. However good and well-balanced a Plan may be, it cannot be worked or implemented by any efforts the Government might make unless it carries with it the support and active co-operation of the people. I submit that we cannot harness the co-operation of the people unless we take them into confidence. Here somebody pointed out that the emergency is such that even the House does not know it. If the emergency is such that even the House is not aware of it and you go on impressing additional taxes do you think that people who are taxed will submit to the additional burden if they are told that the money was required for working the plan? How does the common man benefit by this National Plan? You can take any number of examples.

Take for example housing. In relation to the housing problem, the people living in the villages are not going to be benefited, and even in the towns very few people are going to be benefited. Take roads. In the Nagpur Plan passed in 1943 it was contemplated that by 1960 every village would be brought within five miles of a pucca road. You are going to have roads, but not even two-thirds of the Nagpur Plan is going to be completed. That means most of the villages will remain beyond five miles of pucca roads. Then you take the case of animal husbandry which was mentioned by Pandit Thakur Das Bhargava the other day.

Mr. Speaker: Are we going on with the Plan now on this small excise duties Bill?

Shri Mohanlal Saksena: At every moment it is said that there is an emergency, there is the Plan and we have to raise funds. Even the other day I got only five minutes. I want to tell you this Plan can appeal to the people only when it meets the needs of the people. Even the provision for elementary education is less than what it was under the First Plan, and the expenditure on administration has gone up from Rs. 11 crores in the first to Rs. 57 crores in this Plan. The expenditure on miscellaneous items will be about 19 per cent. as against 16·6 per cent in the first Plan. These are the things which we have to face. You cannot get the co-operation of the people unless they know that these things are going to benefit them.

I was just referring to animal husbandry. With your permission I would like to say one word. In the Plan it is said the average milk consumption in the country is some five ozs.

Mr. Speaker: I have got very great regard for the hon. Member, but how is the Plan or milk relevant here?

Shri Mohanlal Saksena: You have to satisfy us that there is an emergency.

Mr. Speaker: Not today.

Shri Mohanlal Saksena: Anyway, I am not going to elaborate that point.

I was saying if you want to have these powers you must see—I am prepared to clothe the executive with any powers that they want—but we have to see that we do not do anything which is likely to be taken as a bad precedent for the future. By this Bill you want to give the executive power for one year. Of course there were other objectionable features which have been removed by the acceptance of these amendments, but these two points remain. It will show the *bona fides* of the Government if they say that for the interval till the new Parliament meets some provision has to be made and therefore they are making provision for that. The second point is about sub-clause (4) of clause 2 where you say that the Finance Minister will have the power or the Central Government will have the power to rescind the notification without any limitation of period. They may not do it, but as it is worded it means that they have the power even to defy the decision of Parliament.

With these words I still hope that the hon. Finance Minister will see his way to accept these suggestions.

Shri Raghavachari: May I say one word on the proposed amendment? The language used in this amendment is 'except when both Houses of Parliament are in session'. I am afraid this will increase the period when Government will be free to issue notifications. Therefore, I would suggest that the words 'except when either or both Houses are in session' will be better.

Mr. Speaker: What is the use of only one House? If it is placed before only one House, is that enough?

Shri Raghavachari: The question is, at any time except when both Houses of Parliament are in session, the Central Government feel so, they can issue a notification.

Mr. Speaker: It has to be approved by both Houses.

Shri Raghavachari: It does not relate to approval. It relates to the issue of a notification increasing the tax.

Mr. Speaker: Is it enough if it is approved by only one House?

Shri Raghavachari: The wording should be 'either or both Houses'. Otherwise, if only one House is sitting, Government can go on.

Mr. Speaker: If only one House is sitting, he cannot have an Act.

Shri Raghavachari: There is no need to have an Act at all.

Shri T. T. Krishnamachari: The fact that one House is sitting does not give me an Act. Unless the other House also sits, it does not become an Act.

Shri Raghavachari: You are not bringing in an Act at all.

Shri T. T. Krishnamachari: The hon. Member has not understood it. At a time when both the Houses are sitting, we cannot use this power. But if only one House is sitting, then we can use this power. That is what it means.

Shri Nand Lal Sharma (Sikar): Then, what is the use of it?

Mr. Speaker: Either House sitting alone does not make it a Parliament.

Shri Raghavachari: My point is that this clause relates to the power of the Central Government to issue notifications. The Minister has said that when both the Houses are in session, he cannot exercise that authority. So, the question here is only about the exercise of that authority. When both Houses are in session, he will not use this right to issue a notification. What I want is that when either or both Houses are in session,..

Shri T. T. Krishnamachari: How can that be? Then it means that if either or both the Houses are sitting I cannot exercise the right.

An. Hon. Member: Surely, that is what the hon. Member wants.

Mr. Speaker: There is a small misunderstanding in this matter. The Minister evidently wants to impose a tax. It is not denied here that in an emergency, it is open to the Finance Minister to invoke the aid of Parliament to pass legislation regarding the imposition of a tax. That could be done only when both Houses will be seized of it ; he can go from this House to the other House, and if the other House has got a right or not, to make an amendment, it has a right to discuss it. If only one House is sitting, he cannot get an Act. That means that he can neither have an Act nor can he issue a notification; he has to keep quiet and invoke the aid of the ordinance. Speaker after speaker has been saying that so far as taxation measures are concerned, the power to issue ordinances ought not to be invoked. Therefore, this has come in the place of ordinance, and it must be effective; this power ought not to be used only when both the Houses are there. If only one house is there, it is no Parliament at all, and no Act can be passed. If neither an Act can be passed nor is an ordinance desirable to be passed, Government have to keep quiet.

Shri Raghavachari: The point is that we wanted to restrict the period during which he would exercise this arbitrary power.

Mr. Speaker: Arbitrary power to be exercised for what? He ought not to pass an Act, and he ought not to issue a notification when it is not possible for him to have an Act. Now, it is not possible for him to have an Act.

Shri Raghavachari: Therefore, he can certainly introduce the Bill in one House....

Mr. Speaker: And wait on till the other House meets. What does the hon. Member want?

Shri Raghavachari: Even now, both Houses are never brought together, and that means that they can go on exercising the power always.

Mr. Speaker: Let us assume that the other House will sit a few days longer than this House.

Shri N. C. Chatterjee: After all, the gap is at best only a week.

Shri N. R. Muniswamy (Wandiwash): Sometimes one month.

Mr. Speaker: Then, that argument can be used both ways. It can be argued, 'The gap is only a week. What is the objection?'.

Shri N. R. Muniswamy: May I draw the attention of the Minister to just one small lacuna. Sub-section (5) of proposed section 3A clause 2 of this Bill reads:

> "This section shall cease to have effect on the thirty-first day of December, 1957 but such cesser shall not affect the continuance of any notification approved by Parliament and in operation at the time of such cesser.".

Here, the notification is issued under the authority vested in Government by section 3A which has now been inserted. If section 3A becomes inoperative on the 31st day of December 1957, the notification which has already been issued cannot be in force, because it has, to be based on one or other of the sections of this Act.

Shri T. T. Krishnamachari: There is no clause 3A here. The point here is this. Sub-section 5 of proposed section 3A says that the notification will continue only if it is approved by Parliament. I do not know whether my hon. friend thinks that some amendment has been moved. Where is clause 3A? I cannot really understand.

Shri N. R. Muniswamy: Clause 3A is substituted.

Shri T. T. Krishnamachari: There is no clause 3A at all. I am afraid there is a little bit of confusion. Actually, this is necessary if we are going to terminate the whole thing.

Shri N. R. Muniswamy: I am very sorry I said clause 3A. I meant proposed section 3A now sought to be inserted of the Central Excises and Salt Act. I was speaking on clause 2 of this Bill, wherein section 3A is proposed. Under this section only the notification can be issued. So, the notification has to be issued only on the strength of section 3A. If clause 2 of this Bill, that is, section 3A of the Act becomes inoperative on a particular date, the notification which has been issued under that provision cannot have any force, even though it has received the approval of Parliament.

Shri T. T. Krishnamachari: I do not think there is any point in what my hon. friend has said.

Mr. Speaker: Now, I shall put the amendments moved by the Minister to the vote of the House.

The question is:

Page 1, lines 7 and 8—

For "Where, in respect of any excisable goods, the Central Government is satisfied that"

> *Substitute*: "If at any time, except when both Houses of Parliament are in session, the Central Government is satisfied that in respect of any excisable goods".

The motion was adopted.

Mr. Speaker: The question is:

Page 1—

for lines 15 to 17 *substitute*:

> "Provided that such increase shall not in the aggregate be more than fifty per cent of the duty of excise fixed by an Act of Parliament as being leviable on the goods for the time being.".

The motion was adopted.

Mr. Speaker: The question is:

Page 1—

for lines 18 to 20 *substitute*:

> "(2) Every such notification shall be laid before Parliament within seven days of its reassembly after the date of the notification.".

The motion was adopted.

Pandit Thakur Das Bhargava: I have also sent in an amendment that for the words '31st December 1957' the words '30th June 1957' be substituted.

Mr. Speaker: All right, I shall put it to the vote of the House. It has already been discussed. Though it has been handed over to me just now, I shall put it to vote.

Shri N. C. Chatterjee: Why should Pandit Thakur Das Bhargava not ask the Minister to accept his amendment?

Pandit Thakur Das Bhargava: I have sent in the amendment already.

Shri T. T. Krishnamachari: He w put it to the House.

Mr. Speaker: All right. I shall put it to vote. There has been a discussion on that already by Pandit Thakur Das Bhargava as well as Shri Mohanlal Saksena. They have said that one year need not be the limit, but it may be even earlier. Pandit Thakur Das Bhargava has passed on his amendment to me. I shall place it before the House now. Let him formally move it.

Pandit Thakur Das Bhargava I beg to move:

Page 2, lines 23 to 24—

for "thirty-first day of December, 1957" *substitute* "thirtieth day June, 1957".

Shri Sinhasan Singh: I have also got an amendment for the deletion of proposed section 3A (4).

I beg to move:

Page 2—

omit lines 19 to 22.

Mr. Speaker: Amendments moved:

(i) Page 2, lines 23 to 24—

for "thirty-first day of December, 1957", *substitute* "thirtieth day of June, 1957".

(ii) Page 2—

omit lines 19 to 22.

Shri Mohanlal Saksena: May I know the reaction of the Minister to my suggestion in regard to the period, namely that it should be either 30th December, 1957, or six weeks after the meeting of the new Parliament, whichever is earlier?

Mr. Speaker: I shall now put Shri Sinhasan Singh's amendment to vote. He wants the deletion of sub-section (4) of section 3A. He does not want this power to be given to the Central Government of rescinding notifications, notwithstanding the fact that the hon. Minister has said that the Central Government wants to reduce it, having regard to changed circumstances.

Shri Sinhasan Singh: May I speak on the amendment?

Mr. Speaker: He has already spoken.

Shri Sinhasan Singh: Suppose the House has approved a certain taxation increase in respect of any commodity under a notification. Suppose a few days afterwards, pressure is brought to bear on the hon. Minister to modify it. Then the Central Government can modify it without the approval of the House. The whole purpose of the Bill is to mop up the excess profit. Now, those interests who earn excess profits may represent to the Government saying, 'Kindly withdraw these things'. It may so happen that even after the House has approved of the taxation, their persuasion may succeed, as it has succeeded in that they have got a promise from Government that there will be no increase in the excise duties already levied on textiles and rayon. So in spite of our passing the notification, they may succeed in getting the tax lowered or modified. I submit it will look awkward if what is passed by the House is rescinded by Government without the approval of the House. So it should be brought before the House so that the matter may be discussed by the House whether it is proper or not. I say this because the whole purpose of this is to provide money for the Plan.

Shri T. T. Krishnamachari: It is very well understood in all tax measures that Government have the power to lower the tax. That should also be conceded in this particular matter. The power to lower the tax inherently exists, so that there should be no bar to reducing the tax. If the hon. Member means that the Government may misuse that power, obviously the remedy is to throw out the Government.

Mr. Speaker: The hon. Member is not inclined to give power to the Government when the Government say that even in advance of the House revoking it, they shall revoke it. Anyway, I will put the amendment to vote.

The question is:

Page 2—

omit lines 19 to 22.

The motion was negatived.

Mr. Speaker: The question is:

Page 2, lines 23 and 24—

for "thirty-first day of December, 1957", *substitute* "thirtieth day of June, 1957".

The motion was negatived.

Mr. Speaker: The question is:

"That clause 2, as amended, stand part of the Bill".

The motion was adopted.

Clause 2 as amended, was added to the Bill.

Clause 1, the Enacting Formula and the Title were added to the Bill.

Shri T. T. Krishnamachari: I beg to move:

"That the Bill, as amended, be passed".

Mr. Speaker: Motion moved:

"That the Bill, as amended, be passed".

Shri Barman (North Bengal—Reserved-Sch. Castes): The Bill is now being passed after much improvement.

The provisions of the Bill, as they are, do not indicate the circumstances under which the Government are given this unusual power to increase the duty. But in the Statement of Objects and Reasons it is said that in the present price situation, it may be necessary both for encouraging exports and for mopping off excessive profits to make quick changes in excise duties. I think it is quite legitimate for Government to be armed with this power. So far as mopping off excessive profits is concerned, we also want that Government should be armed with such power, not only for the purpose of raising more revenue to finance the Plan or to meet any other expenditure, but also for a social purpose. These excess profits mean exploitation of the consumers. If Government have not the power to mop off these profits, there will be troubles occurring.

We know that when a large amount of money is injected in connection with the Second Plan expenditure, there will be some poeple who will be getting more money. At the same time, we apprehend that there will be shortage of commodities. In such a contingency, if Government do not step in to nip the profit motive of the middleman in the bud, the middleman will go on exploiting the consumers, resulting in the generation of anti-national psychology.

Secondly, if this money goes into the pocket of the middleman, it will run counter to our objective in the social sphere. So there is an additional reason for arming Government with the power to increase the excise duties for the purpose of mopping off excess profits.

As regards the objective of encouraging exports, I think that Government should not exercise this power simply to encourage exports. Encouraging exports means inhibiting consumption at home, and that in turn means increase in the price of consumer goods. So it will ultimately hit the consumers whom we want to benefit. There may be circumstances where an emergency may arise. Then Government will come before the House. We shall consider the

[Shri Barman]

circumstances and if we think that Government are justified in exercising that power, we shall arm Government with the necessary power. But for this short period of four or five months, I do not know how much revenue Government can get on this account, by encouraging exports and inhibiting consumption at home. It may not be a large sum; it may be a small sum. But it may hit the consumer. So I hope that Government will not increase the duties up to the extent that Government are armed to increase them simply for the purpose of encouraging exports.

So far as the other objective is concerned, I think Government should exercise it not only as a matter of getting some revenue but as a social necessity.

Shri Mohiuddin: The extraordinary measure which the Finance Minister introduced has now undergone considerable improvement by the amendment that he himself has moved.

This Bill is an emergency measure, and the Finance Minister has fully explained that it will be utilised only if and when an emergency arises. When the hon. Minister introduced the Bill in the House and when I read it I had the impression that unlike the Finance Minister, unlike Shri T. T. Krishnamachari who has always been very optimistic, who has always taken a rosy view of coming events, this time, the Finance Minister has adopted a very pessimistic attitude. He is afraid that the situation is going to worsen from day to day during the next 6 months.

The international situation has improved. The Suez Canal is blocked but it is expected that, in about two or three months' time, we will have free navigation through the Suez Canal. It is also generally believed that the danger of war has receded. Moreover, only this morning the Food Minister told us that the price of rice is going down and it may go down precipitately to such an extent that there may be a cry about the prevailing low level of prices. But, on the other hand, we have this pessimistic view of the future, that the prices may go up so high that the Finance Minister may have to resort to the unusual step of levying excise duties by a notification.

Anyhow the situation is so confusing and I hope the Finance Minister in his reply will assure the House that he really does not anticipate such a heavy rise in prices that he may have to resort to this unusual measure that we are passing today. I hope that it will not be necessary and the situation will ease from day to day so that the price level goes down and the Plan is not affected in any way.

With these words, I hope the House will pass the Bill.

Shri Tulsidas: First of all, I must thank the hon. Finance Minister for having accepted the substance of two of my amendments which I had moved because I felt that there would otherwise be hardship particularly with regard to consumer goods like cloth and rayon yarn and rayon piece-goods and the consumer would be rather very badly hit. He has already taken powers recently and there is no necessity for him to have extra powers to increase the duties on these consumer goods.

You know very well that there are only 25 excisable goods in this country. I have got a list here and if one goes through the list one will find that most of these are essential goods which are used every day by the common man. Not one of these articles can be considered as luxury article. Motor spirit, kerosene, sugar, matches, steel, tyres, tobacco, vegetable products, coffee, tea, cotton cloth, artificial silk fabrics, cement, soap, footwear, woollen fabrics, electric fans, electrical batteries, paper, paints and varnishes, vegetable non-essential oils, refined diesel oil, industrial fuel oil, coal and so on; these are the articles which are excisable goods. I can understand the Finance Minister to take the powers which he has taken with regard to exportable goods, where the burden falls outside the country and not inside the country. I would only say that if you analyse these items, you will find that even if the duties are raised, it is not going to benefit the consumer in any way. I will give an instance. In the Statement of Objects and Reasons the hon. Finance Minister says that he wants to mop off excess profits. He also wants to see that exports are encouraged. I do not see how any increase in duty on any of these items will increase exports. On the countrary it will cause hardship to the consumers. As I said, an increase in duty of the essential oils will cause more hardship to the consumers in the country. The prices are already too high and the demand in the country is inelastic. The same will be the case of additional excise duty on sugar. If the excise duty on tea is increased it will not serve the interests of the country because a rise in the demand for internal consumption of tea hardly interferes with the export programme. In the present circumstances, there is an overproduction of this commodity and efforts are being made to restrict production and also to step up the consumption. Thus, it is clear that the restraint will not be to the best interests of the country. It will lower nutritional and living standards. If additional taxes are levied, the purpose of mopping off excess profits will not be served in the case of essential goods and consumer articles. In most of the excisable articles, conditions for excessive profits hardly exist now.

In the end, I would like to plead with the Finance Minister that he should have considered all these things before bringing in this measure. It would not be in the larger interests of the country and it will not serve the purpose for which he is bringing in this Bill.

Another point which I would like to bring out is this. It is said that there must be an idea that the Second Five Year Plan is there and, therefore, we must try and get as much resources as possible. There is an article which I read and which, I think, gives a somewhat better picture. It says that the argument that taxation must be raised is not the same thing as to argue that taxation should be neutral to the sector from which it does begin. To argue again that the Plan must be fulfilled and therefore resources are necessary at any price is only to argue that the Plan will be fulfilled merely because of monetary resources taken from the producers. It is just placing the Damocles sword over the non-Government sector so that it will not grow. It will not allow the non-Government sector to undertake expansion.

I am afraid the hon. Minister is not listening and he thinks that the Bill is already more or less passed and therefore he has no interest in hearing the argument.

Shri T. T. Krishnamachari: Sir, the trouble is this. My hon. friend went away when the Bill was being discussed and he is now reading a speech which ought to have been read in the early stages of the Bill.

Shri Tulsidas: The hon. Minister knows fully well that when I went away from here, I went also for a better cause.

Shri T. T. Krishnamachari: I have no doubt that it is a better cause.

Shri Tulsidas: I went to attend a Consultative Committee meeting and it is one of the important committees on which also I am a member. I am expected to attend that also.

Mr. Speaker: Whether the Finance Minister hears him or not, the House will hear the hon. Member. The hon. Minister all the time is harping that

[Mr. Speaker]

he is somehow or other trying to find resources for the Second Five Year Plan, no matter what happens, whether the resources which he would get would reduce production or not. The important aspect is that we must increase the production. Has he visualised whether with the measures which he has now brought forward—Finance Bills Nos. 2 and 3 and also this Bill—the production is going to be increased or whether it is going to be decreased by these duties. If it is going to be decreased, then I am afraid all the aims and objects in bringing forward the Second Five Year Plan are going to be defeated. After all, we want to increase production in the country, and unless increased production takes place it is not possible to achieve any of the objects in the Plan put up. I, therefore, feel that before we bring forward these measures, it is proper that the Finance Minister should take up all these aspects into account.

Another aspect which I would like you to bear in mind and to consider is that during this particular session, a number of such Bills of an important nature have been introduced, and this session has more or less been converted into an important budget session. The Bills were introduced a few days before and have been brought before the House for consideration and passing. Legislation has been brought in without even giving this House and the public an opportunity to consider the effects the different measures will have. Whenever a point has been raised, the Finance Minister usually says that it is dilatory tactics. After all, it is an inherent right of the opposition to have dilatory tactics, but the Finance Minister should be happy that the opposition here is not so dilatory as in any other country.

Shri T. T. Krishnamachari: I am happy to see the hon. Member always smiling.

Shri Tulsidas: In spite of all that, he is still harping on that point because he feels that certain measures which he has brought in have been somehow or other opposed. He brings in, therefore, the plea that we are resorting to dilatory tactics.

When such important legislation is brought in, we must give enough opportunities for the Members here as well as the public outside to consider all aspects of the measure. Whenever measures which are as important in nature as the budget are brought in, we generally have enough time to consider all aspects of the matter, and the House comes and considers it after about a fortnight or three weeks or a month's time. When an important amending legislation comes up, we generally send it to a Select Committee, and the Select Committee considers it, goes into the thing, and then passes it on to the House with its comments. Even this particular measure could have been brought in much earlier and got through the Select Committee, and it could have been discussed much more leisurely with better results. The Finance Minister, since his arrival, has brought in so many measures as shock tactics and calls himself a Robinhood. If he is a Robinhood in the sense of merely taking over a certain amount of things from a few people, I can understand it, but he is not doing that. He is not only becoming a Robinhood for a few people but also for the common man. That he should not forget.

Mr. Speaker: He does not discriminate.

Shri Tulsidas: Since the Finance Minister has accepted some of my amendments and has also given an assurance, I would like to agree to this measure although I would have really felt like opposing the Bill.

Shri K. K. Basu (Diamond Harbour): I oppose this Bill tooth and nail, because I think by this measure

Government have taken blanket power to tax, which is a dangerous precedent for any democratic institution. The Finance Minister has come forward with a proposal that he wants to tax, because he thinks he will be able to mop up the profits. During the last Budget, when his predecessor brought in a proposal for excise duty on cloth and other things, we knew that the common man had to pay extra. He has long been in the financial line and he must be knowing from his own experience that whatever excise duty that he levies on essential goods is hardly borne by the producers themselves, but is practically entirely passed on to the consumer. You know fully well that last time when mustard oil, cloth and other things were taxed, the *ex*-Finance Minister stated that it was only a question of a few annas. We knew that in the Calcutta market the price went up by several annas and even more than a rupee.

Today the Finance Minister says that he wants to mop up these profits, because he wants to create a psychological atmosphere following his other earlier proposals and he wants to take away the extra money that the industrialists or businessmen must be making. But what is the reality of the situation? The majority of the articles on which the excise duty has been levied have been read out by my hon. friend, and they are mostly essential and some possibly semi-essential things, and most of them are bought by the common man or citizens in the lowest strata or slightly above it. Today the Finance Minister comes out with a proposal that he wants to mop up the profits. Can I have a guarantee from him that by levying excise duty on these essential commodities, the prices of those commodities will not go up? We know how the inflationary spiral has gone up, but there are other methods to check that up. If you want finance, you can have the industry your own and you can have control in a different method. But giving the power to the executive to levy whenever they want to impose extra taxes is a very dangerous thing. I think Government themselves have enough power already and they can certainly, if the situation so demands it, take effective action, and then come up before Parliament and get the whole thing legalised.

Therefore, I would urge upon the hon. Minister that unless he can give a categorical assurance to the House that by levying this extra excise duty there shall not be any increase in the price structure,—by such increase the common man will be affected because he has to pay more—I do not think I can agree to this measure. Further, to come to this House for having such blanket powers is setting up a very dangerous precedent.

Shri Bhagwat Jha Azad (Purnea *cum* Santal Parganas): Are these powers worse than the shooting power in Hungary?

Shri K. K. Basu: My hon. friend is not relevant. I can give the history of shooting which this Government has done. Instead of meeting in the end of February, we may be able to meet at the end of March, and any extra excise duties that are imposed during this period can come up before Parliament so that we may be in a position then to consider them then.

I oppose this measure because it will not improve the situation at all. After levying the capital gains tax, the Finance Minister has created a psychological atmosphere in his favour and he wants to go on further and wants power sality to himself as Great Moghul. Unless the Finance Minister can give us the assurance I have asked for, he has no right to come forward for asking for blanket powers from the Parliament.

Shri T. T. Krishnamachari: I do not think the hon. Members who spoke on the third reading have made any points which need a reply.

[Shri T. T. Krishnamachari]

Shri Tulsidas started off with a speech which should have been made earlier, and he ended up with a homily on many things that do not concern really this particular Bill.

Shri Basu is a super-democrat representing the super-democratic opinions which only believe in democratic methods and nothing else. If he had not come into the House for probably some other purpose, he might not have intervened at all and would not have concerned himself with this Bill. So far as this particular measure is concerned, I must say this. We have tried always to serve the people whom we represent to the best of our ability. As I have said before, in the duties that we imposed on cloth, we have, to a large extent, made the manufacturer shoulder the burden. Of course some portion might have been transferred. I can give no assurance because I am not in a position, until I have complete controls, to see whether a particular thing is passed on or not. If my economy is such that every thing is diverted through the Government, may be my Government would be one in which 86 per cent. of this revenue will come from consumer taxes as it is in most of the totalitarian countries. Of course my hon. friend has to speak for democracy because that is one of things in which he does not believe. I do not think there is any point in labouring on it further. I would like to mention this. If there is any feeling in the minds of any hon. Members in this House that the intention of the Government here is to unnecessarily secure and impose any burden on the consumer, it is not true. In fact, I shall not use it unless the circumstances make it necessary. Even then, I envisage it might be only a few commodities. It is not as my hon. friend, Shri Tulsidas, said. He took hold of the Central Excise and Salt Act and read out a portion of the Schedule there. As I said, I am not going to levy a duty on shoes or anything like that. There may be three or four or five commodities. For the present, I do not think that it may be more than two or three. I hope it would not be necessary for me to levy these duties at all or increase them if circumstances do not warrant it.

I may also tell my hon. friend who wanted to limit my power to nine months or six months: "What are you trying to safeguard? The Government is responsible to you. We say, we do not want to use it when the Parliament is sitting. If Parliament is going to sit during the major part of the second half of 1957, obviously the power cannot be used." What is the good of an individual thinking that he has made a suggestion? An amendment is accepted. In case the Bill is not correct, it will be amended. It does not matter who does it. It is not as if I have done something wrong and by accepting the amendment I have gained some merit. It is all a question of discussion. If any hon. Member feels that it will be better, he may say so. There is no point in imagining that we are doing it ourselves merely because of the direction of the hon. Member. It was sought to put '30th June' in place of '31st December'. What is the purpose? It is for one year. During the second half of 1957, it is our expectation that Parliament will sit and may be there may not be any necessity to use the measure at all.

I can give that assurance that, as my late lamented friend, Dr. Ambedkar mentioned on a previous occasion, the Government will take all care that is necessary to observe the proprieties in using this particular legislation.

Mr. Speaker: The question is:

"That the Bill, as amended, be passed."

The motion was adopted.

BUSINESS ADVISORY COMMITTEE

Forty-seventh Report

Pandit Thakur Das Bhargava (Gurgaon): Sir, I beg to present the Forty-seventh Report of the Business Advisory Committee.

FLOOR AND CEILING PRICES OF INDIAN COTTON

Mr. Speaker: There are a few minutes more.

Shri Kamath (Hoshangabad): If the hon. Minister is here, I shall take up this discussion straightaway.

Mr. Speaker: One hour is allotted for the discussion. How long would the Minister like to take?

The Minister of Finance and Iron and Steel (Shri T. T. Krishnamachari): I do not think that I would like to take more than ten minutes.

Mr. Speaker: All right. The hon. Members who want to take part in the discussion may rise in their seats—I find three.

Shri K. C. Sodhia (Sagar): My name may also be included.

Shri Kamath: I would take ten to fifteen minutes.

Mr. Speaker: The hon. Member may also continue to stand. All right. The time will be restricted accordingly.

Shri Kamath: Sir, By your leave, I am constrained to raise a discussion on a shady transaction which was indulged in by the Government with rather dubious motives—a transaction detrimental to the interest of India and detrimental to the large mass of our people. Sir, the discussion proceeds or arises immediately out of certain very unsatisfactory answers given by the Minister of Consumer Industries, Shri Kanungo, on the 5th of this month. He pleaded a uniformly negative answer while replying—a uniform no, an ignorant no—to the supplementary questions that I put on that occasion, on the 5th December. He did not know whether the price ceilings fixed on cotton were altered last year. Nor did he know whether certain observations had been made by the former Commerce Minister's colleague in the other House—the Rajya Sabha—in the course of the discussion on the Indian Cotton Cess (Amendment) Bill, 1955.

17.57 hrs.

[PANDIT THAKUR DAS BHARGAVA *in the Chair*]

At the beginning of the cotton season, the ceiling was fixed at Rs. 840. Suddenly on the 23rd December, 1955, the Government closed the forward market against the unanimous advice of the trade represented by the East India Cotton Association and the market was reopened on the 7th of January, 1956. For two weeks the market remained closed and on the reopening of the market, the ceiling was reduced drastically from Rs. 840 to Rs. 700, when the prevailing ready price was much higher, was anything between Rs. 740 and Rs. 750.

There are two features to this incomprehensibly odious transaction. I use the word deliberately. One was that the ceiling once fixed was drastically reduced below the ready price on the reopening of the forward cotton market. Secondly, the ceiling was applied with retrospective effect, a thing which has never happened with any other commodity and perhaps in no other year. The Forward Market Commission issued an order to the East India Cotton Association President under the bye-laws to close out all forward contracts and further that the old contracts already made even at Rs. 745 or Rs. 750 should be regarded as having been made at Rs. 700 and settled at Rs. 700. Irrespective of the price at which the contracts were made, even if the contracts had taken place at a higher price, he was asked to treat it as having been made at a lower price. This is an arbitrary, wholly incomprehensible—I would not use the strong term villainous—and odious

[Shri Kamath]

action. The contract proved to be a dead contract because the ready prices at that time were much higher, and therefore an artificial selling was ordered at a price at which no transaction could take place.

Various reasons were given for this action by the Government. They could be summed up in three different ways. It was said that this action was in the interest of the trade, secondly in public interest and thirdly in the larger interest of the economy of India. This was an amazing and fatuous plea. Today I come to the House with a categorical demand. I am glad that the former Minister for Commerce and Industry is also here. This is my categorical demand. Whom did it benefit? I want to know that because, according to Dr. P. S. Deshmukh, the Minister for Agriculture, who, speaking on this matter in the Rajya Sabha on the 17th February, said—I am reading from the script:—

18 hrs.

> "I would not like to go into details of what happened in the Government."

Probably, he did not want to disclose the Cabinet secrets and all that.

An Hon. Member: He is not a Cabinet Minister.

Shri Kamath: But he is invited to Cabinet meetings. Then, "It is not proper for me to say all that." That is all very well, I quite understand that. "But" he says—that is a very strong "but"—"I can safely express my sympathy so far as the growers' prices are concerned and, if it was necessary to act in the manner we have done, I am sure the Minister for Commerce and Industry"—the former Minister, the new Minister was not here at that time and, unfortunately, the former Minister is here with us today—"must have had strong reasons for the action he took. It is for the hon. Members to judge how far the Commerce and Industry Minister's reply satisfies them." This is very curious. He did not wholeheartedly endorse the action taken by a colleague. It was for the Members to say how far it satisfied them. Then Dr. P. S. Deshmukh said:

> "But I am always in favour of the grower getting higher prices, and the more so because this year the cotton grower has really been ruined in many parts of India because of excessive rains."

Then he ended by saying:

> "The cotton grower really suffered much and my sympathies are with him. He should have been permitted to get the highest possible price."

Then he says:

> "But the Minister for Commerce and Industry took a different view."

There again his view is different from that of Dr. P. S. Deshmukh. Shri T. T. Krishnamachari, the then Minister for Commerce and Industry took a different view "because of certain happenings in Bombay". The *ex*-Chief Minister of Bombay is luckily with us and he knows more about Bombay than the former Minister for Commerce and Industry. "I am not very much conversant with it at present; that is for him to judge, and it is for hon. Members to judge." Said Dr. Deshmukh.

The then Minister, Shri T. T. Krishnamachari, speaking in the course of the debate on the Indian Cotton Cess (Amendment) Bill made this observation:

> "If the House is really interested, when the case is clear I shall be certainly prepared to let the House know the full facts of the situation more than what I can explain now."

That is on the 17th February. Then he said:

> "About why the price was fixed, on the basis at which it was fixed at present I am unable to say consistent with the traditions of this House."

Of course, Sir, you know the traditions better than I do. Then he says:

> "I do not wish to say anything more in this matter."

It is "consistent with the traditions" of the Upper House. Since then there has been no debate in Parliament in this matter and Parliament has really been at a loss to understand why this action has taken place.

Did it benefit, as it was supposed to do, the interests of the trade? Did it benefit the public? Was it in the public interest? Was it in the larger interests of the economy of India? On an earlier occasion when my friend Dr. Ram Subhag Singh raised a question sometime at the end of February, the answer given was "The Forward Markets Commission were compelled to take the action they did to safeguard the interests of all concerned." This is a very good phrase, a very evasive phrase "interests of all concerned". I would request the Minister, the new Minister for Commerce and Industry ably assisted by the former Minister......

The Minister of Heavy Industries and Commerce and Consumer Industries (Shri Morarji Desai): :Why not from him alone? he will explain.

Shri Kamath: It is for you to settle between yourselves. I will be the last person to come in your way. But both are present here and it is rather helpful to the House. The one or the other may answer the questions I have raised, and I hope the other one who is not answering will ably assist the one answering.

Sir, I would only like to refer to one or two other matters before I close. As I said, the ceiling was drastically reduced from Rs. 840 to Rs. 700, when the prevailing ready price was much higher. In the first two months, that is to say, from the last week of December to the last week of February, growers had to sell cotton artificially at this low rate because they could not help it. They had to sell at the reduced ceiling price. Dr. P. S. Deshmukh was perfectly right when he said that this action taken by Government was definitely not in the growers' interest. The Forward Market, as you are well aware, Sir,—I should be the last person to try to tell you anything about the Forward Market, you know it better than I do—is the link to establish correct prices between the grower, the merchant and the mills, and as Government artificially lowered the price to this drastically low level of Rs. 700, the reaction of it was dramatically felt by the grower when he went to market his produce.

Now, our Government, animated by the desire to bring about a welfare State is, day in and day out, season in and season out, always saying that they are acting in the interests of the cultivators, the kisans, the producers, the growers and the consumers who form more than 90 or 95 per cent of the people of our country. I charge them, I would accuse them, the Government, of having acted on this occasion in the interests of a favoured few, a privileged few, and not in the interests of the masses of India, not in the interests of the producers of cotton, not in the interests of consumers, not in the interests of the trade. And the Minister acted with ulterior motives, dubious motives, motives which were not calculated to help the producers, the growers, the trade or the mills.

I would like to know today, therefore, categorically from him, I would like to have a categorical answer from him, which he had withheld in the Rajya Sabha because the time was not opportune, conditions were not auspicious,—propitious or auspicious,—on that occasion—the Minister is smiling, the new Minister, I do not know whether it is just a smile or a knowing smile, he may clarify the smile later on—I would ask the Minister, both of them, to tell the House of the conditions in Bombay on the basis of which Shri T. T. Krishnamachari said on the 17th February this year that the Government was compelled to take the action they took.

[Shri Kamath]

One more fact, Sir, which I raised on the last occasion last week, and to which Shri Kanungo gave a reply "No", an ignorant "No". He said he did not know.

Then I asked this question:

> "Is it a fact that on November 29th, only a few days ago, the Finance Minister (*i.e.* the former Commerce and Industry Minister) said that the price of cotton in Bombay, that is to say, of the Vijay cotton—which is one of the varieties referred to in the statement (the statement was laid by the Minister on the Table of the House that day)—which was Rs. 749 per kandy was reasonably good, whereas last year, he considered the same price exorbitant and reduced it to Rs. 700, though the crop expectation last year was only 43 bales while this year it is 55 lakhs of bales?"

Mr. Kanungo, unfortunately, gave the blank answer, "I am not aware of the statement which the hon. Member has referred to."

That statement was laid by him on the Table that day and he said, "I am not aware of the statement". I will leave it at that.

I have, therefore, been compelled to raise this matter again, and I am sure the House will agree, my hon. colleagues will agree, that the action taken by the Government last year was in the interests of a tiny handful, privileged, favourite few. The House demands today the answer from the Government who those few were. I hope it is time that we get a definite answer, when this Parliament, the supreme body demands it. I would close my brief remarks by asking again, in whose interest this action was taken to reduce the ceiling from Rs. 740 to Rs. 700 drastically with retrospective effect. That is the most dubious feature of the transaction. Who were those privileged few? Let us know their names. If their names are not given by the Government, I have no hesitation in saying that the Government is acting not in the interests of the people, but in the interests of a tiny minority. They must desist from coming to the House and saying day in and day out, "we are working for a Welfare State". Otherwise, "Welfare State" will become a mockery. I hope Parliament will put an end to this state of affairs and put things straight about this matter, and the House will compel the Minister to give a definite, clear answer to the question I have raised.

Shri M. S. Gurupadaswamy (Mysore): Sir, in my opinion the policy of the Government in this matter has been very very enigmatic. It is being shrowded in mystery. Neither the present Finance Minister, who was the former Industry and Commerce Minister, nor the Food and Agriculture Minister has been able to clear the misgivings that have arisen as a result of this policy announced in December, 1955.

What are the reasons for this policy? Firstly, it is to control prices and to check its speculation in the market. Secondly, it is to protect the interests of growers. But by and large, the over-all objective is to guard the interest of trade and the larger interests of the economy of the country. Let us analyse how far these objectives have been fulfilled by the sudden change of policy by the Government. The price fixed at that time was Rs. 700. You must note whether this fixation of ceiling at Rs. 700 proved effective to check the price trend which was in the upward direction. When the ceiling was fixed at Rs. 700, the ruling price was about Rs. 750. There was already a ceiling fixed at Rs. 845 and this new ceiling was within that ceiling. We expect normally that this ceiling would effect the price in the ready market and in the forward market. But let us see if it has achieved those two objectives. After the fixation of the ceiling, the prices in the ready market shot up considerably. It was then about Rs. 800, Rs. 100 more than the ceiling fixed for the forward market. Even in the forward market, all the contracts came to a dead end, because for sometime there was a total collapse in business and the forward market was paralysed.

The most unfortunate thing is that a small group of people got windfall profits. That might not have been the intention of the Government when they changed the policy, but nevertheless the effect was there. A small powerful group of bears got a huge amount of money. How they got this amount is very interesting. They were able to get this huge amount, because the ceiling was made retrospective. In other words, all the outstanding transactions had to be settled at Rs. 700. Those who entered into a forward contract at Rs. 750 or Rs. 745 had to settle their contracts at Rs. 700. Thereby, the bulls, the purchasers, were very much benefited and the sellers lost heavily. So, a few people who were well-placed had prior information and they benefited most out of this change of policy.

What about the interests of the growers? Let us know whether there was any protection of the growers' interests. As my friend already pointed out, the growers were not at all benefited, though that was one of the objectives of this policy. Dr. P. S. Deshmukh has already supplied an answer to Mr. T. T. Krishnamachari in this respect; it does not require me to elaborate on this point. But let me tell the House that the growers' interests were not at all protected and the growers did not approve the policy of the Government. I learn that the representative of the growers, who was in the East India Cotton Association, did not approve of the new ceiling fixed. Further, I learn that the Central Cotton Committee passed a resolution or expressed an opinion, when Dr. Deshmukh was present, disapproving of the action of the Government. They categorically stated that the new policy of the Government was detrimental to the interests of the growers. So, I feel that the growers' interests have never been protected.

Secondly, as I have already said, the speculation was not stopped and the prices were not checked. After the fixation of this new ceiling, there was a spurt, a spiral rise, in prices in the cotton market, particularly in the ready market. So, the main objective for which the change in policy was made was not realised.

May I humbly ask the present Finance Minister whether he carefully considered the repercussions, or the consequences of this change of policy? I want to know from him whether he had consulted the people whom he ought to have consulted in his Department; I want to know particularly whether he consulted the Textile Commissioner, and whether his opinion was taken. According to my information the Textile Commissioner was never consulted and the Textile Commissioner read it only in the newspapers. So, it was just announced by the Minister. If I am wrong. I want to be corrected. If I am right, it is really a highly condemnable action.

Shri T. T. Krishnamachari: May I ask if the hon. Member can tell the House if the Textile Commissioner himself told him about it—I would like to know.

Shri M. S. Gurupadaswamy: No, Sir, not the Textile Commissioner. The Textile Commissioner did not at all tell me and I have no access to the Textile Commissioner.

Shri T. T. Krishnamachari: Then how does he know about it?

Shri M. S. Gurupadaswamy: I came to know about it from some other gentleman. So, I want to be corrected if I am wrong. That is all that I say. I would be very happy if I am proved to be wrong.

Shri T. T. Krishnamachari: How could I prove anything wrong when the hon. Member has no basis for a statement he makes? He does not say that the Textile Commissioner told him; and he wants me to prove something which cannot be proved at all.

Shri M. S. Gurupadaswamy: I will be happy if my allegation is proved baseless.

There is one other important thing which is in the background. . Who were the parties benefited, if at all, by this change of policy? Shri Kamath asked the same question. I want to ask the Minister whether a small group of people in the forward market were really benefited as against the entire lot of speculators. Even among the speculators, and the business community, there are a special few, a chosen few who are getting the most favoured treatment at the hands of Government. In this particular case I take it I am not wrong if I generalise that a few people among the speculators who are very well placed in the matter of securing information, got the benefit. The tragic part of the whole thing is there is not so much speculation in the forward market; the most speculative element in the whole deal according to me is the Government policy itself.

People begin to speculate about the policy of the Government, about the changes that are brought about from time to time. . This is the most speculative element. Unless speculation about Government policy is stopped very effectively, I am afraid, the forward market or any market which deals with speculation and speculative activities will not be free from such evils; and it is not possible to free them from evils. So, I say that with a view to clarify the whole thing, with a view to know the truth of the matter, I would ask the House and the Minister concerned to agree to a Committee of enquiry being set up immediately.

It may be a Committee of Parliament or may be some other committee wherein Members of Parliament may be associated. Anyway, a Committee of enquiry may be set up forthwith to know the truth of the whole thing. If there is really nothing wrong, if it is all a baseless allegation, we will be really satisfied. But, let us probe into the whole thing and see the real truth. I feel that if such a step is taken, Government and the Ministry in particular, will emerge better. It would be good for the Ministry also to agree to this proposition. So I commend my suggestion for an enquiry into the whole matter.

Shri N. C. Chatterjee (Hooghly): Mr. Chairman, in the interests of the Government and the purity of administration, this debate should be welcomed. Shri Kamath has made a very strong case. He usually makes a strong case. But, bereft of all rhetorical flourishes, if you look at the narration of events and facts, you will find......

Shri T. T. Krishnamachari. You find that you can argue the case in a court.

Shri N. C. Chatterjee: I am arguing no case. I am stating facts. Facts are more telling than speeches. Any Government should be ashamed of what they have done. I am sorry to say that the Government's *bona fides* are suspect. The sooner the Government clears up the matter and places all facts and figures before Parliament, it is better for them.

Look at the facts. We are complaining about a notification which was issued on the 24th of January, 1956, which ordered the closing of certain contracts at certain rates, which rates we say are not fair and which rates were really put down in the interests of some people, a small coterie possibly. Look at the facts. On the 22nd of December, 1955, the Chairman of the Forward Market Commission issued a directive from the Central Government to the President of the East India Cotton Association of a peculiar character. The order of the Government was this: the Board of directors of the East India Cotton Association should take immediate action to prevent the prices in respect of hedge contracts in cotton for February 1956 settlement from rising above

Rs. 700 per candy. This order is to the autonomous corporation that you must see that all these February settlement contracts should be settled at rates below Rs. 700 at least not exceeding Rs. 700. At that time, under the rules and bye-laws of the Association, contracts had been entered into and those contracts had been going through the clearings from time to time. The contracts were then outstanding at Rs. 745 per candy. One of the greatest industrialists, a man of great integrity and position, was the Chairman of the East India Cotton Association, Sir Purushottam Das Thakur Das. Sir Purushottam Das Thakur Das's Committee met and they pointed out that what the Government had directed is not fair and proper, because, look at the facts. On the 22nd of December, the spot rate for *desi* cotton was Rs. 800 per candy. The prices for hedge contracts in cotton for February, 1956 delivery were between Rs. 737 and Rs. 748 per candy. Also the prevailing prices for hedge contracts in cotton for May, 1956 delivery were between Rs. 700 and Rs. 718. Therefore unanimously Sir Purushottamdas and the Board of Directors said there was no case for artificially making some people lose money and for compelling these contracts to be settled at that rate. The rate was Rs. 745 and if you compel them to accept it or settle it at Rs. 700, they would lose Rs. 45 per candy.

One point should be emphasised and that is this. A very responsible officer of the Government is appointed and he has got power under the law to fix ceiling rates. The Textile Commissioner in exercise of the powers conferred on him under the law had fixed the ceiling rate at Rs. 840. Therefore the rate of Rs. 745 which was then prevailing in the hedge market was below the ceiling, and the Association said, Sir Purushottamdas and the Board of Directors said, that it was not proper to artificially inflict this loss on people and therefore they were not going to do it. Immediately that was done, on the 23rd December the Central Government suspended hedge contracts in cotton and thereby practically they were threatening the Association, coercing the Association to accept Government's directive. The Board again met. Sir Purushottamdas and the Directors said that it was unfair that the Government should put a pistol at their heads and order the suspension of all trading in that manner. They said that the Government might have a giant's strength but it was not fair to use it like a giant. They again met and discussed the matter, pointed out the facts and pointed out that the prevailing rate was higher, that even the spot rate was higher, and they said when the spot rate was higher it was not fair that they should order this thing to be done.

On the 30th December Government issued a second notification just to penalise the Association, teach the Board of Directors another lesson because they did not submit to Government's vagaries and whims and the Government again suspended the market for another week. There was thus a double suspension. The Central Government extended the period of suspension for another seven days. Sir Purushottamdas threatened to resign and resigned, and then the Board caved in and passed a resolution succumbing to Government's dictation. A suit was filed in the Bombay High Court challenging the legality of that resolution on the 6th January which was ultimately compromised on the 24th January. And on the 24th January the compromise was this, that the Board should meet again and decide it on merits whether they should submit to Government or not, that they should apply their mind and come to an independent judgment. On the 24th January they were to meet in terms of the compromise which was put in before Chief Justice Chagla and another Judge of the Bombay High Court, and on the 24th January when they went back from the court in order to hold this meeting of the Board, in order to arrive at a proper determination as to what should be done, they were served with a notification. The notification was that the

[Shri N. C. Chatterjee]

Government had amended the by-laws of the Association on the 21st January by another notification. It is an amazing piece of executive action that the by-laws of the Association were amended by a notification, and by virtue of that notification Government assumed certain powers, and by virtue of the extraordinary powers assumed by them by that notification they issued the notification of the 24th January saying that all these contracts should be closed at Rs. 700 and that should have retrospective effect.

I have got a copy of the notification in my hand, and it is a string of platitudes which makes it more suspect. It says:

> "In pursuance of clause (1) of by-law 52(A) of the by-laws of the East India Cotton Association......"

This by-law 52 (AA) was enacted, of course nobody knew, possibly by somebody in New Delhi and communicated on the 24th January.

> "....I hereby notify to you that the Forward Markets Commission is of the opinion that continuation of trading in hedge contracts for February and May, 1956 delivery is detrimental to the interests of trade, detrimental to public interest and detrimental to the larger interests of the economy of India".

Therefore they ordered that all contracts should be closed on the 24th January, 1956 at Rs. 700 for February delivery and Rs. 680-8-0 for May delivery. This trinity, these triple expressions "detrimental to the interests of trade, detrimental to public interests and detrimental to the larger interests of the economy of India", are all surplusages, verbiages, mere eyewash in order to convince the public that something noble and grand was being done. But, in fact, if you look at what happened, you will find that it is absolutely wrong to say that this was done in the interests of the economy of India.

What remains to be seen now is whether the declared objective—assuming they are honest—of the Forward Markets Commission—which, at that time, only meant the Government of India and nobody else—has been achieved by the suspension of trade and by this forced fixation of the artificial price of Rs. 700.

Take, for instance, contracts which were to come into force from and after 25th January. At the time when this artificial ceiling price was fixed at Rs. 700, the original selling price was Rs. 840, as fixed by the Textile Commissioner. The floor and the ceiling prices were there, and they were not infringed. And, as it turned out, the production during that year, as my hon. friend has said, was not likely to be more than 44 lakhs of bales, and, therefore, the natural tendency was for the prevailing market price of Rs. 747 to go up, and, therefore, by no stretch of imagination could this price be reduced to Rs. 700.

Again, what happened was this. As a result of this fixation of the ceiling price at Rs. 700, despite this fixation, the ready price continued to take a higher trend.

Now, with regard to its being retrospective in operation, what happened was this. We want to point out that even in respect of contracts which were already in existence until 24th January, 1956, neither the growers, nor the consumers nor the general public were benefited by the artificial reduction of the price from Rs. 747 to Rs. 700. All that happened was that only those sellers who had sold their stocks were saved from their commitments, and they were benefited to the extent of Rs. 47 per candy. But the buyers suffered a very serious loss. The East India Cotton Association had a number of members, and they were carrying out the business under certain vigilant regulations. By the closing of these contracts at artificial prices, it was only some section of the sellers and some section of the buyers who stood to gain or to lose. So, the whole thing was done only to benefit a small section of people and not to benefit the consumers or the growers, for they did not benefit.

Now, the pertinent question is this. Why did you do it? Who moved it? In whose interest did you act? The *bona fides* are suspect. They are to be cleared up. The sooner they are cleared up, the better will it be for all. And Parliament will be failing in its duty if it does not demand a full probe into this matter and make a thorough investigation.

Shri K. C. Sodhia: I do not know what reply Government are going to give to the points that have been raised. But at the time when the business in th forward markets of the East India Cotton Association was closed, there was a hue and cry, and there were articles and articles on this question; and I happened to study the question well. My impression from what I read then was that the East India Cotton Association thought themselves to be the masters and the lords of the cotton market.

You know that the prices of cotton react upon the prices of cloth and if the prices of cotton are allowed to go higher, than even the ceiling rates warrant, then clearly it will be going against the interests of the vast masses of people who use cloth.

Now the East India Cotton Association thought that they were the masters of the situation. Knowing full well that the crop of cotton was rather poor that year, they thought that they could raise the price of cotton as high as possible, from Rs. 700 to Rs. 740, then to Rs. 750, then to Rs. 800. That was a rise which no Government could view with equanimity. Evidently some action was considered to be necessary, and I think the Government did the best thing possible in the circumstances.

You know that if the *fadka* prices go up, they react on ready prices. The ready prices were even higher at that time than the *fadka* prices. The *fadka* prices were allowed to go on rising. This had repercussions on the ready prices and on the cloth market; the prices of cloth began to go higher and higher. Therefore, it was but proper that the Government, in spite of what the Cotton Association and its masters considered improper or detrimental to their interests, thought proper to take action in the interest of the consuming millions of this country.

As regards the point that Dr. P. S. Deshmukh, who represented the Agriculture Ministry, said something which was in the interest of the agriculturists, which happened to differ from the view of the Minister of Commerce and Industry, that is but a natural thing. After all, the Minister of Commerce and Industry has to look to the interests of all the people of this land, while Dr. P. S. Deshmukh is only confined to agriculture (*Interruptions*). Therefore, there is nothing to be wondered at in that.

I do not know about the charge against the Government that certain people were benefited by this action of Government. Of course, in *fadka* there are people on this side and on the opposite side. Of course, one set of people must gain. Therefore, those who were the sellers, gained while the buyers did not gain. That was a natural thing.

So I do not see anything very extraordinary or anything which might strike us as going beyond the ordinary limits that should weigh with this Parliament to go into the question again or to appoint a Committee or Commission to inquire into the matter. It is an academic question which has been prompted by certain big people of the cotton trade. My hon. friends opposite are pleading their case and casting aspersions on the Government. I considered this matter then very seriously and came to those conclusions, and I am still firm on those conclusions.

Shri G. D Somani (Nagpur-Pali): I had no intention of taking part in this debate when I saw this item on today's Order Paper about the discussion on the floor and ceiling prices

[Shri G. D. Somani]

of cotton, because I never knew that the action of Government, which was taken about a year ago, was the subject matter of today's discussion. But being connected with the textile industry, I claim to know something about what happened at that time; although I had no opportunity of checking up the details—I could gather only just now from the speeches of hon. Members that this matter was under discussion—I still claim to know something as to what was happening in the market at that time and what repercussions would have been there if the particular action which was taken by the Ministry had not been taken. I am afraid that my hon. friends seem to have been very well briefed by somebody but do not appear to be very well acquainted with the dealings of the Forward markets. It is exactly the supply and demand position which my friend Shri Kamath referred to. The cotton crop last year was only 43 lakhs bales and this year it is expected to be 55 lakhs and that was exactly the reason why there was a great danger of the prices going out of control if no action had been taken. Those persons who were long in the market, those powerful bulls could certainly have taken the price to the ceiling of Rs. 840 in a few days but for the action taken by the Government. Therefore, to say that the action of Government did anything to benefit the few of the favoured parties is absolutely contrary to facts.

From my personal knowledge, I know that some of the powerful bulls were hit hard and adversely affected by the action of the Government inasmuch as they could not achieve their object of forcing the cotton prices to the ceiling in view of the very limited supply and in view of the very heavy demand from the mills. Such things are not new in the forward markets. Those people who come in day to day touch with those markets are well aware of the resourceful genius of the speculators who are able to manipulate the prices to suit their own end, and take advantage of the supply and demand position. At that time the supply position of cotton in the market was such and so unsatisfactory that it was really very easy for those who were operating the forward markets to have forced the prices to a high level. It is only from that point of view that I wanted to make a clarification. Though we may not agree with the merits of the case or though we may honestly differ from his policy, there was absolutely no doubt in my mind that if no action had been taken by the Minister, there was nothing which could have prevented those speculative elements from taking the prices to the higher level that could have been permitted under the ceilings. Therefore, I do not think that the charge that the Minister's action benefited a few of the powerful persons can in no way be substantiated.

So far as the merits of the case are concerned, I say, one may have honest differences of opinion about the particular action which the Minister took. But, after all, the main and primary objective of the Forward Markets Act is to ensure the proper functioning of the markets and to save national economy, and the particular market from undue advantage being taken by the speculators of the supply and demand position at a given period. From that point of view, I do not think there was anything *mala fide* or there was anything of a nature which benefited a few persons in this action which Ministry took. I think, the action, to some extent, helped to keep the prices under check, which was very essential from the point of view of national economy.

Shri T. T. Krishnamachari: Mr. Chairman, I shall now say a few words because I was in charge of this Ministry at the time this occurrence is supposed to have taken place and I am glad that my colleague has given me this opportunity to speak on this occasion.

At the outset, I must express my gratitude to my friend, Shri Sodhia, who has brought an objective outlook to bear on this matter and who has been following this matter even though it is a year old now. I am also grateful to Shri Somani for putting the businessman's point of view in this matter. I would like to tell the hon. Members that the question of the price of cotton, the supply of cotton etc. are matters which have been very closely followed by the Ministry of which I had charge some time back. In fact, in February 1955, the supplies were rather on the high side and the prices were dropping. I was almost ceasing my personal interest in the Ministry, nevertheless I had to go to Bombay and to buttress the market by allowing some export quota. The whole matter has been so carefully followed and so carefully looked after that we kept the prices at an even keel. But round about the end of 1955 I think some time in November, the Chairman of the East India Cotton Association came to Delhi and wanted to see me. I think he came to my office and told me that he was very worried about the market auctions. Auction dealings were rampant and speculators were really getting hold of the whole thing. He said that Government must act. I told him, what could I do? I said that unless the Association could help us, we could not catch or get hold of the people indulging in illegal auctions. He could not do anything to help us, but he said that we must take firm action.

Then came the squeeze. One point every discerning Member of the House like Shri Somani missed is this. Apart from the short crop, the speculation was on a particular type of cotton, where the tenderable quantity was very small—1316 Jarilla, the quantity which was available for supply against the hedge contract made was just a fraction. That is a point which hon. Members who have been briefed about it as my friend, Shri Somani said, have not been correctly briefed. The basic point is not the floor or ceiling. The tenderable cotton of that particular staple length was not available and it was sold several times over. Therefore, naturally it is a question of a free hunt for people who indulged in speculation to squeeze other people up. Circumstances were as my hon. friend, Shri Somani, mentioned. The quantity of cotton was less. The quality of coton had deteriorated because of rains being non-seasonal. Altogether it was a fairly serious situation when the demand was rising, when more mills were being established, and it was a question whether the prices will reach not merely the ceiling but even beyond.

In regard to the question of floor and ceiling, hon. Members are not aware of the significance of it. The floor price of Rs. 495 has been fixed so as to indicate to the grower that if it went to that level, Government will enter and buy the cotton at the price of Rs. 495. The ceiling has been fixed so that if purchases are to be made beyond that, the Textile Commissioner will issue an order to the mills not to purchase beyond that price. Of course, there may be a few auctions which will happen underhand—we know about it. In the case of floor, it has a direct connection with the grower. In the case of ceiling, it has a direct connection with the mills. This question of floor and ceiling is not a matter which is something that my hon. friend knows.

A second factor is this. While there is a hedge contract rate, the spot rate is different. The spot rate depends upon the physical supplies available. At the time Government took action, the prices were somewhere between Rs. 745 and Rs. 759. The spot rate had gone very much higher, because it depends upon the quantity or quota that is tenderable. The hedge rate depends upon the mere position of there being enough number of speculators—one to offer, the other to hedge. The fact that the ceiling rate was being, dangerously pierced had certainly made it necessary to cause speculation. If the Forward Market

[Shri T. T. Krishnamachari]

Commission, which has been established and approved by Parliament, did not do what it has done, I am afraid they will be failing in their duty. To say that it has been done to benefit any one particular person is wrong, because I understand that the total number of people who really tried to squeeze on the market knowing full well that the quantity of that particular variety was not available was about five or six. I think they have exhausted all the remedies nearly and undoubtedly they must have lost.

But, I do not know who were these five or six. I do not know anything about them, except perhaps now, after one year or so, the connected one or two or three of the five or six, must have approached Shri Kamath and Shri Kamath must have briefed Shri Chatterjee.

Shri Kamath: He knows briefing very well.

Shri T. T. Krishnamachari: Like a lawyer he is, he can always speak without preparation and he spoke in that particular manner.

Shri Kamath: We want to know the facts.

Shri T. T. Krishnamachari: My hon. friend, Shri Gurupadaswamy...... My hon. friend, Shri Gurupadaswamy assumes an air of profundity on matters which are of no importance at all.

Shri Kamath: He has an air of perfidy....

Mr. Chairman: This is not the way to interfere. The hon. Member has used very hard words as villainous; then this side was quite silent. Now, I expect that he should have patience. .... There is no question of speaking even when the Chair is standing.

Shri T. T. Krishnamachari: There is one humble submission which I want to make. I would not like the Chair to be angry with Shri Kamath because his reactions are involuntary. What is the object of being angry with such a Member?

Shri Kamath: I would like to know what his reactions are. Is it capitalist reaction?

Shri T. T. Krishnamachari: How can he help it? He has merely proved it. The trouble about him is that some of these reactions are infantile and we must put up with it.

Shri Kamath: This is an idiotic reaction. Let him come to the point.

Mr. Chairman: I would just request the hon. Members not to use the language in the heat of the moment, which subsequently they would not like to have been used by one side or the other.

Shri T. T. Krishnamachari The other thing he mentioned is this. Some papers were laid on the Table by my hon. colleague, Shri Kanungo. A statement was placed in which I may also have said that the price of Vijaya Cotton at Rs. 749 was good. The prices are fairly steady. The floor of Vijaya is Rs. 569 and the ceiling, Rs. 925. In fact the attempt is to get the price between the floor and the ceiling. We should be happy so long as Vijaya continues to be Rs. 749 or Rs. 750. Irrespective of the fact that I am no longer in charge of the Commerce and Industry Ministry and that I am the Finance Minister, I shall remain happy because the prices are on an even keel neither going down to the floor, nor to the ceiling.

Another point was made that the growers were at a loss. At the time we took this action, the goods started moving and it is not correct to say that the growers had large stocks. We were quite convinced in our mind, as we knew how the goods were moving, that it is the middlemen who lost.

So, where is the question of a committee of enquiry or anything like that? The hon. Member was in the House a year back. So was the hon. Member, Shri Gurupadaswamy and so was Shri Chatterjee. He is not always in the House sometimes here and sometimes is the Supreme Court.

But, what did they do for the last one year? I would have mentioned this if the hon. Members wanted the information in the other House! I would have given it if they wanted information here. What can I do if the hon. Member who raised this question did not go to Bombay for a whole year and went only now? What can I do if probably somebody informed him just now?

Shri Kamath: Since February it has been raised three times.

Shri T. T. Krishnamachari: Shri Gurupadaswamy said about the Textile Commissioner not being consulted. In all these matters, if he has precise information, he can make a statement. The Textile Commissioner happens to be an officer of the Ministry. He cannot ask my colleague if he has consulted him. Sometimes we do consult the Textile Commissioner. Sometimes we ask him ourselves. The Minister is ultimately responsible for any action that is taken. He is not going to take over that an officer of his advised him badly or well. In this particular matter it is not a question of consultation with the Textile Commissioner. It is a question of the Forward Market Commission and the general economy of the country. I would like to say emphatically that where we interfered in these matters, we interfered correctly. We interfered to do justice. We did well by the economy and I think any impartial judge of events, if somebody is going to write the history of cotton market, would say, the action that was taken between November 1955 and January 1956 was in the best interests of the country.

Shri Kamath: A make-believe, a big make-believe!

19.01 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Thursday, the 20th December, 1956.

DAILY DIGEST

[*Wednesday, 19th December*, 1956]

Columns

STATEMENT BY DEPUTY MINISTER 3529-33

The Deputy Minister of Railways and Transport (Shri Alagesan) made a statement stating the position in regard to allegations of callousness at Ariyalur Train Accident, made by Shri Kamath on the 18th December, 1956.

PAPERS LAID ON THE TABLE 3533-34

The following papers were laid on the Table :

(1) A copy of the Appropriation Accounts (Posts and Telegraphs), 1954-55 and the Audit Report, 1956 Part II, under Article 151(1) of the Constitution . . . .

(2) A copy of the Notification No. 18-CER/56, dated the 27th November, 1956, under section 38 of the Central Excises and Salt Act, 1944, making certain further amendments to the Central Excise Rules, 1944 . .

(3) A copy of the minutes of the sittings of the Committee on Absence of Members from the sittings of the House (Twentieth and Twenty-first) held during the Fourteenth Session . .

(4) An extract of the alleged speech of Shri R. Govindan, District Board Member, Kulitalai *re* Ariyalur Railway Disaster . .

(5) A pamphlet *re* All Party meeting on the Ariyalur Railway Disaster in South India held on 7-12-56 at Tiruchirapalli . . .

MESSAGES FROM RAJYA SABHA 3534-35

Secretary reported the following messages from Rajya Sabha :

(1) That at its sitting held on the 17th December, 1956, Raiya Sabha had agreed without any amendment to the Territorial Army (Amendment) Bill, passed by Lok Sabha on the 23rd November, 1956

(2) That Rajya Sabha had no recommendations to make to Lok Sabha in regard to the following two Bills, passed by Lok Sabha on the 12th December, 1956 : . .

(i) Finance (No. 2) Bill, and

(ii) Finance (No. 3) Bill .

Columns

REPORT OF COMMITTEE ON PRIVATE MEMBERS BILLS AND RESOLUTIONS PRESENTED 3535

Sixty-seventh Report was presented . . . .

REPORT OF ESTIMATES COMMITTEE PRESENTED 3535

Thirty-eight Report was presented . . . .

LEAVE OF ABSENCE 3535—38

Seven members were granted leave of absence from the sittings of Lok Sabha .

STATEMENT BY MINISTER 3538-42

The Minister of Information and Broadcasting (Dr. Keskar) made a statement regarding broadcasting facilities for political parties .

BILLS PASSED 3543-86, 3593-3676

The following Bills were considered and passed :

(1) Appropriation (No. 5) Bill

(2) Appropriation (Railways) No. 6 Bill . . . .

(3) Appropriation (Railways) No. 7 Bill . . . .

(4) Kerala State Legislature (Delegation of Powers) Bill . . . . .

(5) Central Excises and Salt (Second Amendment) Bill . . . . .

BILL UNDER CONSIDERATION 3587-93

The Minister of Revenue and Defence Expenditure (Shri A. C. Guha) moved that the Union Duties of Excise (Distribution) Amendment Bill be taken into consideration. The discussion was not concluded . .

	Columns
REPORT OF BUSINESS ADVISORY COMMITTEE PRESENTED	3677
Forty-seventh Report was presented	
DISCUSSION RE FLOOR AND CEILING PRICES OF INDIAN COTTON	3677-370
Shri Kamath raised a discussion *re* floor and ceiling prices of Indian Cotton. The Minister of Finance and Iron and Steel (Shri T. T. Krishnamachari) replied to the debate and the discussion was concluded . .	

Columns

AGENDA FOR THURSDAY, 20TH DECEMBER, 1956

Consideration and passing of the Union Duties of Excise (Distribution) Amendment Bill and the Territorial Councils Bill. Consideration of the Banking Companies (Amendment) Bill and the motion *re* appointment of a High Power Commission on Safety in Coal Mines.

570 LSD